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No. 39]

NEW DELHI, SATURDAY, SEPTEMBER 24, 1988/ASVINA 2, 1910

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह जलन संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं

Statutory Orders and Notifications issued by the Ministries of the Government of India (other than
the Ministry of Defence)

मंत्रिमण्डल सचिवालय

सारणी

(ई ए-II अनुभाग)

नई दिल्ली, 12 सितम्बर, 1988

अधिकारी का पदाभिधान	सरकारी परिसरों के प्रकार
(1)	(2)
उप सचिव (एस.आर.), मंत्रिमण्डल सचिवालय, नई दिल्ली।	(i) एस.एस.बी. समूह केन्द्र/ उनके नियंत्रणाधीन कम्पनी मुख्यालय/प्रशिक्षण केन्द्र, सलोनी बाड़ी।
	(ii) प्रभागीय संगठक मुख्यालय, प्रशिक्षण केन्द्र, हाफलौग/सराहम, फंडियर अकादमी, ग्वालदम, केन्द्रीय भंडारण डिपो, एवं कार्यशाला, भोपाल।
	(iii) केन्द्रीय भंडारण डिपो एवं कार्य- शाला, सरमवा/मलोनीवाड़ी।
	(iv) एस.एस.बी. निदेशालय, मुख्यालय।
	(v) शिक्षण केन्द्र, फर्रुखाबाद।
	[सं. ए-55011/1/81-ई-ए-II] आर. के. गंगार, उपसचिव (एस.आर.)

का.सा. 2807.—केन्द्रीय सरकार, सरकारी स्थाप (अप्राधिकृत
अधिसूचनाओं की बेशकली) अधिनियम, 1971 (1971 का 40) की धारा 3
द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नीचे की सारणी के स्तम्भ (1)
में उल्लिखित अधिकारों को, जो मंत्रिमण्डल सचिवालय में राजपत्रित अधि-
कारी हैं, उक्त अधिनियम के प्रयोगों के लिए सम्पदा अधिकारी नियुक्त
करी है, जो उक्त सारणी के स्तम्भ (2) में की तत्समानी प्रविष्टि
में विनिर्दिष्ट सरकारी परिसरों की बाबत उक्त अधिनियम द्वारा या उसके
अन्तर्गत सम्पदा अधिकारियों को प्रदत्त शक्तियों और उस पर अधिरोपित
कार्यों का पालन करेगा

CABINET SECRETARIAT

(EA-II Section)

New Delhi, the 12th September, 1988

S.O. 2807.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoint the Officer mentioned in column (1) of the Table below, being the Gazetted Officer of the Government in the Cabinet Secretariat to be Estate Officer for the purposes of the said Act, who shall exercise the powers conferred and perform the duties imposed on Estate Officer by or under the said Act, in respect of public premises specified in the corresponding entry in column (2) of the said Table.

TABLE

Designation of the Officer	Categories of Public Premises
1	2
Deputy Secretary (SR) Cabinet Secretariat, New Delhi	(i) SSB Group Centres/Company Headquarter under their control/Training Centres, Salonibari. (ii) Divisional Organisers Hqrs., Training Centre, Hailong/Sarahan, Frontier Academy, Gwaldam, Central storage Depot and workshop, Bhopal; (iii) Central Storage Depot and workshop, Sarsawa/Salonibari. (iv) SSB Directorate, Headquarters. (v) Training Centre, Faridabad.

[No. A-55011/1/81-EA-II]

R.K. GANGAR, Dy. Secy. (S.R.)

गृह मंत्रालय

(प्रान्तरिक सुरक्षा विभाग)

(पुनर्वास प्रभाग).

नई दिल्ली, 17 अगस्त, 1988

का. प्र. 2809—विस्थापित व्यक्ति (प्रतिकर तथा पुनर्वास) अधिनियम 1954 (1954 का 44) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इसके द्वारा हरियाणा सरकार के पुनर्वास विभाग में संयुक्त सचिव श्री बेजंत सिंह को उक्त अधिनियम के प्रधान अथवा उसके द्वारा हरियाणा राज्य में बंदोबस्त प्रायुक्त को सौंपे गये कार्यों के निष्पादन हेतु हरियाणा राज्य में स्थित निष्कांत संरक्षित का सहायक नियुक्त करती है।

2. इस अधिसूचना के द्वारा दिनांक 12-5-1988 को अधिसूचना संख्या 1(7)/विशेष सैल/88 एस. एस. II (क) का अधिकरण किया जाता है।

[संख्या 1(7)/विशेष सैल/88-एस. एस. II (क)]

MINISTRY OF HOME AFFAIRS

(Department of Internal Security)

Rehabilitation Division

New Delhi, the 17th August, 1988

S.O. 2808.—In exercise of the powers conferred by Sub-section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoint Shri Beant Singh, Joint Secretary, in the Rehabilitation Department of the Government of Haryana, as Settlement Commissioner in the State of Haryana for the purpose of performing the functions assigned to a Settlement Commissioner by or under the said Act, with effect from 15th July, 1988 (F.N.).

2. This Notification supersedes Notification No. 1(7)/Spl. Cell/88, SS. II(A) dated the 12th May, 1988.

[No. 1(7)/Spl. Cell/88-SS.II(A)]

नई दिल्ली, 18 अगस्त, 1988

का. प्र. 2809.—निष्कांत सम्पत्ति प्रबन्ध अधिनियम, 1950 (1950 का 31) की धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार श्री बेजंत सिंह संयुक्त सचिव पुनर्वास विभाग हरियाणा सरकार को 15-7-1988 (पूर्वाह्न) से उक्त अधिनियम द्वारा अथवा उसके अधीन सहायक महाधिरक्षक को सौंपे गये कार्यों के निष्पादन हेतु हरियाणा राज्य में स्थित निष्कांत संरक्षित का सहायक नियुक्त करती है।

2. इसके द्वारा दिनांक 12-5-1988 को अधिसूचना संख्या 1(6)/वि. सैल/88-एस. एस. II (क) का अधिकरण किया जाता है।

[संख्या 1(6)/वि. सै./88-एस. एस. II (क)]

कुलदीप, राज्य उप सचिव

New Delhi, the 18th August, 1988

S.O. 2809.—In exercise of the powers conferred by Section 5 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950) the Central Government hereby appoint Shri Beant Singh, Joint Secretary, Rehabilitation Department, Government of Haryana, as the Assistant Custodian General of Evacuee Property situated in the State of Haryana for the purpose of discharging the duties imposed on such Assistant Custodian General by or under the said Act with effect from 15-7-1988 (F.N.).

2. This supersedes Notification No. 1/6/Spl. Cell/88-SS. II(A) dated 12-5-1988.

[No. 1(6)/Spl. Cell/88-SS.II(A)]

KULDIP RAI, Dy. Secy.

नई दिल्ली, 17 अगस्त, 1988

प्रादेश

का. प्र. 2810.—विस्थापित व्यक्ति (प्रतिकर तथा पुनर्वास) अधिनियम, 1954 (1954 का 44) की धारा 34 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैं जी. पी. एस. साहू, मुख्य बंदोबस्त प्रायुक्त इसके द्वारा बंदोबस्त प्रायुक्त की शक्तियों का प्रयोग

कर रहे श्री बेंजंत सिंह संयुक्त सचिव, पुनर्वास विभाग, हरियाणा सरकार को उक्त अधिनियम की धारा 23, 24, 28 और 35 के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए मौरा गाँव जिनका इतिहास राज्य में स्थित ग्रामोण और शहरी निष्कासित भूमि और सम्पत्तियों के संबंध में प्रयोग किया जाएगा।

2. इस आदेश से दिनांक 12-5-1988 के आदेश संख्या-1(7)/विशेष सैल/88-एन.एस. II (ख) का अधिकरण किया जाता है।

[संख्या-1(7)/विशेष सैल/88-एन.एस. II (ख)]

New Delhi, the 17th August, 1988

ORDER

S.O. 2810.—In exercise of the powers conferred on me under Sub-Section (2) of Section 34 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), I, G. P. S. Sahi, the Chief Settlement Commissioner do hereby delegate to Sh. Beant Singh, Joint Secretary in the Rehabilitation Department of the Government of Haryana, exercising the powers of Settlement Commissioner, the powers conferred on the Chief Settlement Commissioner under Section 23, 24, 28 and 35 of the said Act in so far as such powers may be exercised in respect of rural and urban evacuee lands and properties situated in Haryana State.

2. This order supersedes order No. 1(7)/Spl. Cell/88-II(B), dated the 12th May, 1988.

[No. 1(7)/Spl. Cell/88-II(B)]

का.भा. 2811.—विस्थापित व्यक्ति (प्रतिकर एवं पुनर्वास) अधिनियम, 1954 (1954 का 44) की धारा 34 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैं जी. पी. एस. साही, मुख्य बन्वोबस्त प्रायुक्त एवं उक्त अधिनियम के अधीन बनाए गए 87, 88, 90 (1) (ए) 90(1) (बी), 90(11), 90(12) और 101 संवर्धक नियमों के अंतर्गत फरीदाबाद एन. आई. टी. की भूमि तथा सम्पत्तियों सहित सुमा-वजा पूल के भाग की भूमि और सम्पत्तियों जिनका प्रशासनिक और वित्तीय प्रबंधों के अन्तर्गत हरियाणा सरकार को हस्तान्तरण कर दिया गया था के निपटान से संबंधित अपनी शक्तियों बंशोदर प्रायुक्त का शक्तियों का प्रयोग करते रहे हरियाणा राज्य के पुनर्वास विभाग के संयुक्त सचिव श्री बेंजंत सिंह की सौंपता हूँ।

2. इसके द्वारा दिनांक 15-3-1985 की अधिसूचना संख्या-1(7)/विशेष सैल/85-एन.एस. II तथा दिनांक 12-5-1988 की अधिसूचना संख्या-1(7)/विशेष सैल/88-एन.एस. II (ग) का अधिकरण किया जाता है।

[संख्या-1(7)/विशेष सैल/88-एन.एस. II (ग)]

S. O. 2811.—In exercise of the powers conferred on me by Sub-Section (2) of Section 34 of the Displaced Persons (C&R) Act, 1954 (44 of 1954) I, G.P.S. Sahi, Chief Settlement Commissioner do hereby delegate powers under rules 87, 88, 90(1)(a), 90(1)(b), 90(11), 90(12) and 101 framed under the said Act, to Shri Beant Singh, Joint Secretary, Rehabilitation Department, Government of Haryana, exercising the powers of the Settlement Commissioner, for the purpose of disposal of all lands and properties including those in Faridabad N.I.T. forming part of the compensation Pool, which was transferred to the Government of Haryana, Under Administrative and Financial arrangements.

2. This supersedes notification Nos. 1(7)/Spl. Cell/85-SS. II dt. 15-3-1985 and No. 1(7)/Spl. Cell/88-SS-II(c) dt. 12th May, 1988.

[No. 1(7)/Spl. Cell/88-SS-II(c)]

नई दिल्ली, 18 अगस्त, 1988

का.भा. 2812.—निष्कासित संपत्ति प्रबंध अधिनियम, 1950 (1950 का 31) की धारा 55 की उपधारा (3) द्वारा मुझे महा-निरीक्षक के रूप में प्रदत्त शक्तियों का प्रयोग करते हुए मैं एन.एस.एस. II (क) दिनांक 18-8-1988 द्वारा हरियाणा राज्य के लिए नियुक्त उद्धारक महा-निरीक्षक के रूप में महा-निरीक्षक की शक्तियों प्रयोग करने का अधिकार है।

अधिसूचना संख्या-1 (6)/विशेष सैल/88-एन.एस. II (क) दिनांक 18-8-1988 द्वारा हरियाणा राज्य के लिए नियुक्त उद्धारक महा-निरीक्षक के रूप में महा-निरीक्षक की शक्तियों प्रयोग करने का अधिकार है।

(1) अधिनियम की धारा 24 एवं 27 के अंतर्गत शक्तियाँ।

(2) अधिनियम की धारा 10(2)(0) के अंतर्गत किसी निष्कासित संपत्ति के हस्तान्तरण के अनुमोदन की शक्तियाँ।

(3) निष्कासित संपत्ति प्रबंध अधिनियम (केंद्रीय) नियम 1955 के नियम 30-ए के अंतर्गत मानकों के हस्तान्तरण का अधिकार।

2. इसके द्वारा अधिसूचना संख्या-1(6)/विशेष सैल/88-एन.एस. II (ख) दिनांक 12-5-1988 का अधिकरण किया जाता है।

[संख्या-1(6)/विशेष सैल/88-एन.एस. II (ख)]

जी.पी.एस. साही, महा-निरीक्षक, निष्कासित संपत्ति

New Delhi, the 18th August, 1988

S.O. 2812.—In exercise of the powers conferred on me as Custodian General by Sub-section 3 of Section 55 of the Administration of Evacuee Property Act, 1950 (31 of 1950), I hereby delegate to the Assistant Custodian General for the State of Haryana, appointed vide Notification No. 1(6)/Slp. Cell/88-SS-II(A), dated 18th August, 1988, the following powers of the Custodian General :—

(i) Powers under Section 24 and 27 of the Act.

(ii) Powers of approval of transfer of any evacuee property under section 10(2)(o) of the Act.

(iii) Powers of transfer of cases under Rule 30-A of the Administration of Evacuee Property (Central) Rules, 1955.

2. This supersedes Notification No. 1(6)/Spl. Cell/88-SS. II(B), dated the 12-5-1988.

[No. 1(6)/Spl. Cell/88-SS-II(B)]

G. P. S. SAHI, Custodian General of Evacuee Property

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 12 सितम्बर 1988

आदेश

स्टाम्प

का.भा. 2813.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार सतद्वारा उक्त शुल्क को माफ करती है, जो हाउसिंग एण्ड ग्रैंड डिप्लेसमेंट कार्पोरेशन लिमि., नई दिल्ली द्वारा जारी किए जाने वाले मात्र सत्यापन करोड़ पञ्चोत्तर लाख रुपए के मूल्य के "11.5 प्रतिशत ऋणपत्र-2008 31 वीं 'ए' श्रृंखला" के रूप में उल्लिखित ऋणपत्रों के स्वरूप में बंधनों पर उक्त अधिनियम के प्रभाव का प्रमाण है।

[सं. 37/88-स्टाम्प-का.सं. 33/44/88-वि.कर.]

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 12th September, 1988

ORDER

STAMPS

S.O. 2813.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of debentures described as "11.5 per cent debentures—2008 XXXI Series"

of the value of rupees twenty seven crores and twenty-five lakhs only to be issued by the Housing and Urban Development Corporation Limited, New Delhi are chargeable under the said Act.

[No. 37/88/Stamp-F. No. 33/44/88-ST]

का.मा. 2814.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (क) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एन.ए.ए. द्वारा उस बूलक को माफ करती है, जो हाऊसिंग एण्ड डेवलपमेंट कॉर्पोरेशन लिमि., नई दिल्ली द्वारा जारी किए जाने वाले मातृ बाधन करोड़ और इकतालीस लाख रुपये के कुल मूल्य के प्रोमिसरी नोटों के स्वरूप में बन्धपत्रों पर उक्त अधिनियम के अन्तर्गत प्रसार्य हैं, जिन्हें निम्न प्रकार से कहा गया है।

(क) 13 प्रतिशत हुडको बन्धपत्र प्रथम श्रृंखला 1995 को सात वर्ष के अन्त में परिशोध्य है; और

(ख) 9 प्रतिशत हुडको बन्धपत्र प्रथम श्रृंखला 1998 जो दस वर्ष के अन्त में परिशोध्य है।

[संख्या 39/88-स्टाम्प फा.सं. 33/50/88-बि.कर.]

जी.आर. मेहमी, धवर सचिव

S.O. 2814.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of promissory Notes described as :—

(a) 13 per cent HUDCO Bonds Ist Series 1995 repayable at the end of seven years; and

(b) 9 per cent HUDCO Bonds Ist Series 1998 repayable at the end of 10 years,

of the total value of rupees fifty two crores and thirty one lakhs only to be issued by the Housing and Urban Development Corporation Limited, New Delhi are chargeable under the said Act.

[No. 38/88/Stamp-F. No. 33/50/88-ST]

B. R. MEHMI, Under Secy

(अध्यक्ष विभाग)

नई दिल्ली, 13 सितम्बर, 1988

का.मा. 2815.—राष्ट्रपति, केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 1965 के नियम 9 के उपनियम (2), नियम 22 के उपनियम (2) के खंड (ख) और नियम 24 के उपनियम (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के वित्त मंत्रालय (अध्यक्ष विभाग) की अधिसूचना सं. का.नि.आ. 639 तारीख, 28 फरवरी, 1957 को, उन बातों के सिवाय अधिकृत करने हुए, जिन्हें ऐसे अधिकरण से पहले किया गया है या करने का लोप किया गया है, भारत के नियंत्रक महालेखापरीक्षक से परामर्श करने के पश्चात् यह निदेश देते हैं कि इस प्रावेण से उपाखंड अनुसूची के भाग 1, 2 और भाग 3, के स्तम्भ 1 में विनिर्दिष्ट साधारण केन्द्रीय सेवा समूह "ख" समूह "ग" और समूह "ब" के पदों की बाबत, स्तम्भ 2 में, विनिर्दिष्ट प्राधिकारी नियुक्ति प्राधिकारी होगा और स्तम्भ 3 तथा स्तम्भ 5 में विनिर्दिष्ट प्राधिकारी, स्तम्भ 4 में विनिर्दिष्ट शास्तियों के सम्बन्ध में क्रमशः अनुशासनिक प्राधिकारी और अपील प्राधिकारी होंगे।

अनुसूची

भाग 1, साधारण, केन्द्रीय सेवा समूह "ख"

पद का विवरण	नियुक्ति प्राधिकारी	शास्तियां अधिरोपित करने के लिए सक्षम प्राधिकारी और वे शास्तियां, जो वह (नियम 11 में की गई संख्याओं के निर्देश से) अधिरोपित कर सकता है।	अपील प्राधिकारी	
1	2	3	4	5
भारतीय लेखापरीक्षा और लेखा विभाग 1				
1. भारत के नियंत्रक महालेखापरीक्षक का कार्यालय				
सभी समूह "ख" पद	प्रधान निदेशक/निदेशक	प्रधान निदेशक/निदेशक	सभी	भारत का उपनियंत्रक महा- लेखापरीक्षक/अपर उप- नियंत्रक महालेखापरीक्षक
2. वाणिज्यिक लेखापरीक्षा कार्यालयों और सिविल लेखापरीक्षा कार्यालयों में वाणिज्यिक लेखापरीक्षा खंड से मिल, भारत के नियंत्रक महालेखापरीक्षक के अधीनस्थ सभी क्षेत्र कार्यालय (जिनके अन्तर्गत प्रशिक्षण संस्थाएं भी हैं)				
सभी समूह "ख" पद	प्रधान महालेखाकार/महा लेखाकार की पंक्ति में विभागाध्यक्ष।	प्रधान महालेखाकार/महा लेखाकार की पंक्ति में विभागाध्यक्ष	सभी	भारत का उपनियंत्रक महा- लेखापरीक्षक/अपर उप- नियंत्रक महालेखा परीक्षक

1	2	3	4	5
3. भारत के नियंत्रक महालेखापरीक्षक के अधीनस्थ सभी वाणिज्यिक लेखा परीक्षा कार्यालय और सिविल लेखापरीक्षा कार्यालयों में वाणिज्यिक लेखापरीक्षा खंड				
सभी समूह "ख" पद	भारत के नियंत्रक महा- लेखा परीक्षक के कार्यालय में प्रधान निदेशक निदेशक/ भाग 2-- साधारण केन्द्रीय सेवा-समूह "ग"	प्रधान महालेखाकार/महा- लेखाकार की पंक्ति में विभागाध्यक्ष	सभी	अपर उपनियंत्रक महालेखा परीक्षक
भारतीय लेखापरीक्षा और लेखा विभाग				
1. भारत के नियंत्रक-महालेखापरीक्षा का कार्यालय				
सभी समूह "ग" पद	संयुक्त निदेशक/ उप निदेशक	संयुक्त निदेशक/ उप निदेशक	सभी	प्रधान निदेशक/निदेशक
2. वाणिज्यिक लेखापरीक्षा कार्यालयों और सिविल लेखापरीक्षा कार्यालयों में वाणिज्यिक लेखापरीक्षा खंड से भिन्न, भारत के नियंत्रक-महालेखा परीक्षक के अधीनस्थ सभी क्षेत्र कार्यालय (जिनके अन्तर्गत प्रशिक्षण संस्थाएं भी हैं)।				
सभी समूह "ग" पद	ज्येष्ठ उपमहालेखाकार/ उपमहालेखाकार/सम- तुल्य पंक्ति के अधिकारी	ज्येष्ठ उपमहालेखाकार/ उपमहालेखाकार/सम- तुल्य पंक्ति के अधिकारी	सभी	प्रधान महालेखाकार/ महा- लेखाकार की पंक्ति में विभागाध्यक्ष
3. भारत के नियंत्रक-महालेखापरीक्षक के अधीनस्थ सभी वाणिज्यिक लेखापरीक्षा कार्यालय और सिविल लेखापरीक्षा कार्यालयों में वाणिज्यिक लेखापरीक्षा खंड				
(i) अनुभाग अधिकारी	महायुक्त नियंत्रक- महालेखापरीक्षक	ज्येष्ठ उपमहालेखाकार/ उपमहालेखाकार/समतुल्य पंक्ति के अधिकारी	सभी	प्रधान महालेखाकार/महा- लेखाकार की पंक्ति में विभागाध्यक्ष
(ii) वाणिज्यिक लेखापरीक्षा कार्यालयों में अन्य सभी समूह "ग" पद	ज्येष्ठ-उपमहालेखाकार/ उपमहालेखाकार/समतुल्य पंक्ति के अधिकारी	ज्येष्ठ उपमहालेखाकार/ उपमहालेखाकार/समतुल्य पंक्ति के अधिकारी	सभी	प्रधान महालेखाकार/ महा- लेखाकार की पंक्ति में विभागाध्यक्ष
(iii) (सिविल लेखापरीक्षा कार्यालयों के वाणि- ज्यिक लेखापरीक्षा खंड में) अन्य सभी समूह "ग" पद	ज्येष्ठ उपमहालेखाकार/ उपमहालेखाकार/समतुल्य पंक्ति के अधिकारी	ज्येष्ठ उपमहालेखाकार/ उपमहालेखाकार/समतुल्य पंक्ति के अधिकारी	सभी	प्रधान महालेखाकार/ महा- लेखाकार की पंक्ति में विभागाध्यक्ष
भाग-3 साधारण केन्द्रीय सेवा-समूह "घ"				
भारतीय लेखापरीक्षा और लेखाविभाग				
1. भारत के नियंत्रक-महालेखापरीक्षक का कार्यालय				
सभी समूह "घ" पद	सहायक निदेशक/ प्रशासन अधिकारी	सहायक निदेशक/ प्रशासन अधिकारी	सभी	संयुक्त निदेशक/उपनिदेशक
2. भारत के नियंत्रक-महालेखापरीक्षक के अधीनस्थ सभी क्षेत्र कार्यालय (जिनके अन्तर्गत प्रशिक्षण संस्थाएं, वाणिज्यिक लेखापरीक्षा कार्यालय और सिविल लेखापरीक्षा कार्यालयों में वाणिज्यिक लेखापरीक्षा खंड भी हैं)				
सभी समूह "घ" पद	सहायक महालेखाकार/ लेखा अधिकारी/लेखा- परीक्षा अधिकारी/सम- तुल्य पंक्ति के अधिकारी	सहायक महालेखाकार/ लेखा अधिकारी/लेखा- परीक्षा अधिकारी/सम- तुल्य पंक्ति के अधिकारी	सभी	ज्येष्ठ उपमहालेखाकार/ उप- महालेखाकार / समतुल्य पंक्ति के अधिकारी

(Department of Expenditure)

New Delhi, the 13th September, 1988

S.O. 2815.—In exercise of the powers conferred by sub-rule (2) of rule 9, clause (b) of sub-rule (2) of rule 12 and sub-rule (1) of rule 24, of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 and in supersession of the notification of the Government of India in the Ministry of Finance (Department of Expenditure) No. S.R.O. 639, dated the 28th February, 1957 except as respect things done

or omitted to be done before such supersession, the President after consultation with the Comptroller and Auditor-General of India, hereby directs that in respect of the posts in the General Central Service Group 'B', Group 'C' and Group 'D' specified in column 1 of Parts I, II and III of the Schedule annexed to this order, the authority specified in column 2 shall be the Appointing Authority and the authorities specified in columns 3 and 5 shall be the Disciplinary Authority and the Appellate Authority respectively, in regard to the penalties specified in column 4.

SCHEDULE

Part-I—General Central Services—Group-B

Description of post	Appointing Authority	Authority competent to impose penalties and penalties which it may impose (with reference to item numbers in rules 11)		Appellate Authority
		Authority	Penalties	
1	2	3	4	5
Indian Audit and Accounts Department				
1. Officer of the Comptroller and Auditor-General of India				
All Group B posts	Principal Director/ Director	Principal/Director Director	All	Deputy Comptroller and Auditor-General India/Additional Deputy Comptroller and Auditor-General.
2. All field offices (including training Institutions) subordinate to the Comptroller and Auditor-General of India other than Commercial Audit Offices and Commercial Audit Wing in Civil Audit Offices				
All Group B posts	Heads of Department in the rank of Principal Accountant General/ Accountant General	Heads of Department in the rank of Principal Accountant General/ Accountant General	All	Deputy Comptroller and Auditor-General of India/Additional Deputy Comptroller and Auditor-General
3. All Commercial Audit office and Commercial Audit Wings in Civil Audit Offices, subordinate to the Comptroller and Auditor-General of India				
All Group B Posts	Principal/Director/ Director in the Office of the Comptroller and Auditor-General of India.	Heads of Department in the rank of Principal Accountant General/ Accountant General	All	Additional Deputy Comptroller and Auditor-General.

Part-II—General Central Service-Group

Indian Audit and Accounts Department
1. Office of the Comptroller and Auditor-General of India

All Group 'C' posts	Joint Director/ Deputy Director	Joint Director/ Deputy Director	All	Principal Director/ Director.
2. All field offices (including training Institutions) subordinate to the Comptroller and Auditor-General of India, other than Commercial Audit Offices and Commercial Audit Wing in Civil Audit Offices				
All group 'C' posts	Senior Deputy Accountants General/Deputy Accountants General/ Officers of equivalent rank	Senior Deputy Accountants General/Deputy Accountants General/ Officers of equivalent rank	All	Heads of Department in the rank of Principal Accountant General/ Accountant General

1.	2.	3.	4.	5.
3. All Commercial Audit Offices and Commercial Audit Wing in Civil Audit Offices, subordinate to the Comptroller and Auditor-General of India.				
(i) Section Officers	Assistant Comptroller and Auditor-General	Senior Deputy Accountants General/Deputy Accountants General/Officers of equivalent rank	All	Heads of Department in the rank of Principal Accountant General/Accountant General
(ii) All other Group 'C' posts (in Commercial Audit Offices)	Senior Deputy Accountants General/Deputy Accountants General/Officers of equivalent rank	Senior Deputy Accountants General/Deputy Accountants General/Officers of equivalent rank	All	Heads of Department in the rank of Principal Accountant General/Accountant General
(iii) All other Group 'C' posts (in Commercial Audit Wing in Civil Audit Offices)	Senior Deputy Accountants General/Deputy Accountants General/Officers of equivalent rank	Senior Deputy Accountants General/Deputy Accountants General/Officers of equivalent rank	All	Heads of Department in the rank of Principal Accountant General/Accountant General
Part-III—General Central Service—Group 'D'				
Indian Audit and Accounts Departments				
1. Office of the Comptroller and Auditor General of India				
All Group 'D' posts	Assistant Director/Administrative Officer	Assistant Director/Administrative Officer	All	Joint Director/Deputy Director
2. All field offices (including training Institutions, Commercial Audit Offices and Commercial Audit Wing in Civil Audit Offices) subordinate to the Comptroller and Auditor-General of India				
All Group 'D' posts	Assistant Accountants General/Accounts Officers/Audit Officers/Officers of equivalent rank	Assistant Accountants General/Accounts Officers/Audit Officers/Officers of equivalent rank.	All	Senior Deputy Accountants General/Deputy Accountants General/Officers of equivalent rank

[No. F. C-11021/2/88-E.G.I.]

D. THYAGESWARAN, Under Secy.

**आर्थिक कार्य विभाग
(बैंकिंग विभाग)**

नई दिल्ली, 31 अगस्त, 1988

का. भा. 2816—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का. 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा श्री बी. डी. शेणोई को तुंगभद्रा ग्रामीण बैंक, बेल्लारी का अध्यक्ष नियुक्त करती है तथा 16-5-88 से प्रारम्भ होकर 31-5-91 को समाप्त होने वाली अवधि को उस अवधि में रूप में निर्धारित करती है जिसके दौरान श्री शेणोई अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एफ. 2-45/87-प्रारम्भिक]

Department of Economic Affairs
(Banking Division)

New Delhi, the 31st August, 1988

S.O. 2816.—In exercise of the powers conferred by sub-section (1) of Section 11 of the Regional Rural Banks Act,

1976 (21 of 1976), the Central Government hereby appoints Shri B. D. Shenoy as the Chairman of the Tungabhadra Gramin Bank, Bellary and specifies the period commencing on 16-5-88 and ending with the 31-5-91 as the period for which Shri Shenoy shall hold office as Chairman.

[No. F. 2-45/87-RRB]

का. भा. 2817—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का. 21) की धारा 11 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार श्री के. बी. शेणोई को जिनकी धारा 11 की उपधारा (1) के तहत तुंगभद्रा ग्रामीण बैंक, बेल्लारी के अध्यक्ष के रूप में नियुक्ति की तीन वर्ष की पहली अवधि 31-3-88 को समाप्त हो गई थी, 1-4-1988 से प्रारम्भ होकर 15-5-1988 को समाप्त होने वाली अवधि के लिए उक्त बैंक का पुनः अध्यक्ष नियुक्त करती है।

[संख्या एफ. 2-45/87-प्रारम्भिक]

S.O. 2817.—In exercise of the powers conferred by sub-section (2) of Section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby reappoints Shri K. B. Shetty whose earlier tenure of three years eight months appointment under sub-section (1) of Section 11 had expired on 31-3-88 as the Chairman of Tungabhadra Gramin Bank, Bellary for a further period commencing from 1-4-88 and ending with 15-5-88.

[No. F. 2-45/87-RRB]

नई दिल्ली, 7 सितम्बर 1988

का.प्र. 2818.—प्रादेशिक ग्रामीण बैंक अधिनियम 1976 (1976 का 21) की धारा 11 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार श्री डी. एम. जानी को जिनकी धारा 11 की उपधारा (1) के तहत नैनीताल-अल्मोड़ा क्षेत्रीय ग्रामीण बैंक, नैनीताल के अध्यक्ष के रूप में नियुक्त की पाँच वर्ष की पहली अवधि 31-3-1988 को समाप्त हो गई है, 1-4-1988 से प्रारम्भ होकर 31-3-1989 को समाप्त होने वाली अवधि के लिए उक्त बैंक का पुनः अध्यक्ष नियुक्त करती है।

[संख्या एफ. 2-16/87-भारभारती]

बी.बी. माथुर, सचिव

New Delhi, the 7th September, 1988

S.O. 2818.—In exercise of the powers conferred by sub-section (2) of Section 11 of the Regional Rural Banks Act 1976 (21 of 1976), the Central Government hereby reappoints Shri D. M. Jani, whose earlier tenure of five years appointment under sub-section (1) of section 11 had expired on 31-3-88 as the Chairman of Nainital-Almora Kshetriya Gramin Bank, Nainital for a further period commencing from 1-4-88 and ending with 31-3-89.

[No. F. 2-16/87-RRB]

V. B. MATHUR, Under Secy.

नई दिल्ली, 7 सितम्बर, 1988

का. प्र. 2819.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 19 की उपधारा (2) के उपबंध 1 जुलाई, 1990 तक की अवधि के लिए यूनाइटेड बैंक ऑफ इंडिया, कलकत्ता पर उस सीमा तक लागू नहीं होंगे जहाँ तक इनका संबंध निरबीधर (प्लेजी) के रूप में मैसर्स हावड़ा फ्लोर मिल्स लिमिटेड, कलकत्ता की शेयर पूजी में उसकी 30 प्रतिशत से अधिक की शेयरधारिता से है।

[संख्या 15/9/88-बी. ओ.-III]

New Delhi, the 7th September, 1988

S.O. 2819.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendations of the Reserve Bank of India, hereby declares that the provisions

of sub-section 2 of Section 19 of the said Act shall not apply to the United Bank of India, Calcutta for a period up to the 1st July, 1990 in respect of its holding of shares in excess of 30 per cent of the share capital of M/s. Howrah Flour Mills Ltd., Calcutta as pledgee.

[No. 15/9/88-B.O. III]

का. प्र. 2820.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 10ख की उपधारा (9) के उपबन्ध रत्नाकर बैंक लि., कोल्हापुर पर दिनांक 15 जुलाई 1988 से 14 अक्टूबर 1988 तक अवकाश बैंक नियमित पूर्णकालिक अध्यक्ष की नियुक्ति होने तक इसमें से जो भी पहले हो, उस सीमा तक लागू नहीं होंगे जहाँ तक अध्यक्ष और मुख्य कार्यपालक अधिकारी का कार्य करने के वास्ते बैंक को कार्रवाई करने से अधिक की सर्वाधिक के वास्ते किसी व्यक्ति की नियुक्त करने की छूट प्राप्त है।

[संख्या 15/1/88-बी.ओ.-III(2)]

S.O. 2820.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendations of the Reserve Bank of India, hereby declares that the provisions of sub-section (9) of section 10-B of the said Act, shall not, to the extent they preclude the bank from appointing a person to carry out the duties of the Chairman and Chief Executive Officer beyond a period exceeding four months, apply to the Ratnakar Bank Ltd., Kolhapur from 15 July, 1988 to 14 October 1988 or till the appointment of a regular wholetime Chairman for that bank, whichever is earlier.

[No. 15/1/88-B.O. III(ii)]

का. प्र. 2821.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 10ख की उपधारा (1) और (2) के उपबन्ध रत्नाकर बैंक लि., कोल्हापुर पर दिनांक 15 जुलाई 1988 से 14 अक्टूबर 1988 तक तीन महीने की अवधि के वास्ते अवकाश बैंक के नियमित पूर्णकालिक अध्यक्ष की नियुक्ति होने तक इसमें से जो पहले हो, लागू नहीं होंगे।

[संख्या 15/1/88-बी.ओ.-III(I)]

प्राण नाथ, सचिव

S.O. 2821.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendations of the Reserve Bank of India, hereby declares that the provisions of sub-section (1) and (2) of section 10-B of the said Act shall not apply to the Ratnakar Bank Ltd., Kolhapur for a period of three months from 15 July, 1988 to 14 October, 1988 or till the appointment of a regular wholetime Chairman for the bank, whichever is earlier.

[No. 15/1/88-B.O. III(i)]

PRAN NATH, Under Secy.

आयकर विभाग

कार्यालय आयकर आयुक्त, पश्चिम बंगाल

कलकत्ता, 30 जून, 1988

[सं. 7/88-89]

का. प्र. 2822.—आयकर अधिनियम 1961 (1961 का 43) की धारा 120 की उपधारा (1) और (2) द्वारा धीरे धीरे पाठ्य (संशोधन) कलकत्ता अधिसूचना सं. 12/88-89, दिनांक 16-6-88 का. सं. सी. सी. (सक)/20/13/88-89 द्वारा प्रदत्त शक्तियों का प्रयोग और 11 कार्यालय के अधिसूचना सं. 3/88-89/प. नं.-5, 1-4-88 को जारी रखते हुए मैं, आयकर आयुक्त प. नं.-5, कलकत्ता एतद्वारा निदेश देता हूँ कि संलग्न अनुसूची के स्तंभ में वर्णित उपआयकर आयुक्त रेंज-24 और 27 के अधीन वर्तमान प्रकार दिनांक 1-7-88 से बदल कर उक्त अनुसूची के स्तंभ नदनुकुरी प्रविष्टि के अनुसार नाम पदनाम हो जाएंगे।

प्रत्यक्षी

क्रम सं.	रेंज के नये पदनाम	उप आयकर आयुक्त के पुराने पदनाम	सर्किल के नये पदनाम	स. मा. और मा. म. के तहत की पत्र व्यवस्था
1	2	3	4	5
1	उप आयकर आयुक्त रेंज	उप आयकर आयुक्त रेंज - 14, कलकत्ता	सर्किल 9 (1)	ए और जे वाई कम. जिला - 5 कलकत्ता
2	उप आयकर आयुक्त रेंज - 9	उप आयकर आयुक्त रेंज - 14, कलकत्ता	सर्किल 9 (2)	बी और आई वाई कम. जिला - 5, कलकत्ता
3	उप आयकर आयुक्त रेंज - 9	उप आयकर आयुक्त रेंज - 14, कलकत्ता	सर्किल 9 (3)	सी. जी. और ई वाई जिला - 5 कलकत्ता
4	उप आयकर आयुक्त रेंज-9 कलकत्ता	उप आयकर आयुक्त रेंज - 14, कलकत्ता	सर्किल 9 (4)	डी. एक. और एन वाई कम. जिला - 5, कलकत्ता
5	उप आयकर आयुक्त रेंज-9 कलकत्ता	उप आयकर आयुक्त रेंज-17, कलकत्ता	सर्किल (9-5)	बी. बी. ई और एक वाई कम. जिला- 6, कलकत्ता
6	उप आयकर आयुक्त रेंज - 9	उप आयकर आयुक्त रेंज - 17, कलकत्ता	सर्किल वाई 9 (6)	ए और सी वाई कम. जिला- 6, कलकत्ता

[सं. नये स्थापना/प. सं. - 5/88-89]

INCOME TAX DEPARTMENT

Office of the Commissioner of Income-tax West Bengal

Calcutta, the 30th June, 1988

[No. 7/88-89]

S.O. 2822.—In exercise of the powers conferred by Sub-Section (1) and Sub-Section (2) of Section 120 of the I.T. Act, 1961 (43 of 1961) and the powers conferred by Notification No. 12/88-89 dated 16-6-1988 in file No. CC(T)/21/13/88-89 by the Commissioner of Income-tax (Technical), Calcutta and in continuation of this office Notification No. 3/88-89/W.V.P. dated 1-4-1988, I, the Commissioner of Income-tax, West Bengal-V, Calcutta, hereby direct that the existing charges of Com. Dist. V and Comp. Dist. VI, Calcutta under the Deputy Commissioner of Income-tax, Range XXIV, Calcutta and Range XXVII, Calcutta as specified in Col 5. of the Schedule hereto annexed shall be redesignated as specified in Col. 4. of the said Schedule w.e.f. 1-7-1988.

SCHEDULE

Sl. No.	New Designation of the Range.	Old Designation of the D. C. Range	New Designation of the Circle/- Ward	Corresponding old charge of A.C. s and I.T. Os.
1	2	3	4	5
1.	Deputy Commissioner of Income-tax, Range-9, Calcutta.	Deputy Commissioner of Income tax, Range-XXIV, Calcutta.	Company Circle 9(1).	'A' & 'J' Wards, Comp. Dist VI. Calcutta.
2.	Deputy Commissioner of Income-tax, Range-9, Calcutta.	Deputy Commissioner of Income-tax, Range-XXIV, Calcutta.	Company Circle 9(2)	'B' & 'I' Wards Wards. Comp. Dist. V. Calcutta.
3.	Deputy Commissioner of Income-tax, Range-9, Calcutta.	Deputy Commissioner of Income-tax, Range-XXIV, Calcutta.	Company Circle 9(3).	'C' 'G' & 'E' Wards, Comp. Dist. V. Calcutta.
4.	Deputy Commissioner of Income-tax Range-9, Calcutta.	Deputy Commissioner of Income-tax, Range-XXIV, Calcutta.	Company Circle 9(4).	'D' 'F' & 'N' Wards, Comp. Dist. V. Calcutta.
5.	Deputy Commissioner of Income-tax Range-9, Calcutta.	Deputy Commissioner of Income-tax, Range-XXVII.9(5) Calcutta.	Company Circle 9(5).	'B', 'D', 'E' & 'F' Ward, Comp. Dist. VI. Calcutta.
6.	Deputy Commissioner of Income-tax, Range-9, Calcutta.	Deputy Commissioner of Income-tax Range-XXIV, Calcutta.	Investigation Circle 9(1).	New Charge created.
7.	Deputy Commissioner of Income-tax, Range-9, Calcutta.	Deputy Commissioner of Income-tax, Range XXVII, Calcutta.	Company 9(1)	'A' & 'C' Wards, Comp. Dist. Distt. VI. Calcutta.

[No. Reorganisation/W.B.V/88-89]

[सं. 9/88-89]

क्र.सं. 2823.—आयकर अधिनियम 1961 (1961 का 43) की धारा 120 की उपधारा (1) और (2) द्वारा और मुख्य आयकर आयुक्त (तकनीकी) कलकत्ता द्वारा जारी अधिसूचना सं. 12/88-89 दिनांक 16-6-88 का.सं. मु.प्र. (तक.) 250/13/88-89 के द्वारा प्रवर्तित शक्तियों का प्रयोग करते हुए, और इस कार्यालय के अधिसूचना सं. 3/88-89/प.सं.-5 दिनांक 1-4-88 को जारी रखते हुए, मैं आयकर आयुक्त प.सं.-5, कलकत्ता एतद्वारा निदेश देता हूँ कि इसके साथ संलग्न अनुसूची स्तंभ (5) में विनिर्दिष्ट पुराने प्रभारों का नाम दिनांक 1-7-88 से बदलकर उक्त अनुसूची के स्तंभ (4) में वर्णित नये पदनाम हो जायेंगे।

(क) उप आयकर आयुक्त रेंज-18, कलकत्ता के अधीन जिला-6, कलकत्ता के वर्तमान प्रभार

(ख) उप आयकर आयुक्त रेंज-4 के अधीन जिला-7 कलकत्ता के वर्तमान प्रभार

(ग) उप आयकर आयुक्त रेंज-23, कलकत्ता के अधीन सहकारी समिति, सकिल, कलकत्ता के वर्तमान प्रभार

(घ) उप आयुक्त संपदा शुल्क रेंज-कलकत्ता के अधीन सहायक नियंत्रक, संपदाशुल्क सकिल, कलकत्ता के वर्तमान प्रभार

क्रम सं.	रेंज के नये पदनाम	तदनुसूची पुराना रेंज	सकिलों/वाडों का नाम तदनुसूची पुराने प्रभार पदनाम	
1	2	3	4	5
1.	उप आयकर आयुक्त रेंज-4 कलकत्ता	उप आयुक्त आयुक्त रेंज-18, कलकत्ता	जॉब सकिल 4 (1) कलकत्ता	सहायक आयुक्त प्रतिरिक्त "ए" और "बी" वाडें जिला-6, कलकत्ता
2.	-वही-	उप आयकर आयुक्त रेंज-4, कलकत्ता	जॉब सकिल (4) (2) कलकत्ता	सहायक आयुक्त प्रतिरिक्त "ए" वाडें जिला कलकत्ता
3.	-वही-	उप आयकर आयुक्त रेंज-4, और रेंज-18	सकिल 4 (1)	नया प्रभार का सृजन
4.	-वही-	उप आयकर आयुक्त रेंज-18, कलकत्ता वाडें 4 (1)	कलकत्ता	आ. प्र. ए. और के वाडें जिला-6, कलकत्ता
5.	-वही-	उप आयकर आयुक्त रेंज-18, कलकत्ता वाडें 4 (2)	कलकत्ता	आ. प्र. बी और डी वाडें जिला-6, कलकत्ता
6.	-वही-	उप आयकर आयुक्त रेंज-18, कलकत्ता वाडें 4 (3)	कलकत्ता	आ. अ. सी. और "ए" वाडें जिला-6, कलकत्ता
7.	-वही-	-वही-	वाडें 4 (4)	आ. अ. ई और क्यू जिला-6, कलकत्ता
8.	-वही-	-वही-	वाडें 4 (5) कलकत्ता	आ. प्र. एच और आई वाडें, जिला-7, कलकत्ता
9.	-वही-	-वही-	वाडें 4 (6) कलकत्ता	आ. प्र. एफ और जे वाडें जिला-6, कलकत्ता
10.	-वही-	-वही-	वाडें 4 (7) कलकत्ता	आ. प्र. जी. वाडें जिला-6, कलकत्ता
11.	-वही-	-वही-	वाडें 4 (8) कलकत्ता	आ. प्र. एल. वाडें जिला-6, कलकत्ता
12.	-वही-	उप आयकर आयुक्त रेंज-4 कलकत्ता	वाडें 4 (9) कलकत्ता	आ. प्र. ए. और एक वाडें जिला-7 कलकत्ता
13.	-वही-	-वही-	वाडें 4 (10) कलकत्ता	आ. प्र. बी और डी वाडें जिला-7, कलकत्ता
14.	-वही-	-वही-	वाडें 4 (11) कलकत्ता	आ. प्र. वा. प्र. एन वाडें जिला-7, कलकत्ता
15.	-वही-	-वही-	वाडें 4 (12) कलकत्ता	आ. प्र. ई वाडें जिला-7 कलकत्ता
16.	-वही-	उप आयुक्त आयुक्त रेंज-4, कलकत्ता	वाडें 4 (13) कलकत्ता	आ. प्र. जे. और के. वाडें जिला-7, कलकत्ता
17.	-वही-	-वही-	वाडें 4 (14) कलकत्ता	आ. प्र. जी. वाडें जिला-7, कलकत्ता
18.	-वही-	-वही-	वाडें 4 (15) कलकत्ता	आ. प्र. एम वाडें जिला-7, कलकत्ता
19.	-वही-	उप आयकर आयुक्त रेंज, कलकत्ता	सहायक नियंत्रक संपदा शुल्क वाडें 4 (4) कलकत्ता	सहायक नियंत्रक संपदाशुल्क सकिल, कलकत्ता
20.	-वही-	उप आयकर आयुक्त रेंज-24 कलकत्ता	वाडें 4 (17) कलकत्ता	आ. प्र. सहकारी शक्ति सकिल कलकत्ता

[No. 9/88-89]

[सं. पुर्नगठन/प.सं.-5/88-89]

S.O. 2823.—In exercise of the powers conferred by sub-section (1) and Sub-section (2) of Section 120 of the Income Tax Act, 1961 (43 of 1961) and the powers conferred by Notification No. 12/88-89 dated 16-6-1988 in the file No. CC(T)/2P/13/88-89 by the Chief Commissioner of Income Tax (Technical), Calcutta and in continuation of this office Notification No. 3/88-89/WB-V dated 1-4-1988, I, the Commissioner of Income Tax, West Bengal-V, Calcutta hereby directs —

(a) the existing Charges of Dist. VI, Calcutta under the Deputy Commissioner of Income Tax, Range-XVIII, Calcutta;

(b) the existing Charges of Dist. VII, Calcutta, under the Deputy Commissioner of Income Tax, Range-IV, Calcutta;

(c) the existing charges of Co-operative Societies Circle, Calcutta, under the Deputy Commissioner of Income Tax, Range-XXIV, Calcutta; and

(d) the existing Charges of Asstt. Controller, Estate Duty Circle, Calcutta under the Deputy Controller of Estate Duty Range, Calcutta

as mentioned in Col. (5) of the Schedule, hereto annexed shall be redesignated as specified in Col. (4) of the said Schedule w.e.f. 1-7-1988.

SCHEDULE

Sl. No.	New Designation of the Range	Corresponding Old Range	New Designation of Circles/Wards.	Corresponding old Charges
1	2	3	4	5
1.	Deputy Commissioner of Income-tax, Range-4.	Deputy Commissioner of Income-tax Range-XVIII, Calcutta.	Investigation Circle-4(1)	Asstt. Commissioner Addl. A&B Wards, Dist. VI, Calcutta.
2.	Deputy Commissioner of Income-tax, Range-4	Deputy Commissioner of Income-tax, Range-IV, Calcutta.	Investigation Circle-4(2)	Asstt. Commissioner Addl. "A" Ward, Distt. VII, Calcutta
3.	Deputy Commissioner of Income-tax Range-4.	Deputy Commissioner of Income-tax, Range-IV & Range-XVIII, Calcutta.	Circle-4(1)	New Charge created.
4.	Deputy Commissioner of Income-tax, Range-4.	Deputy Commissioner of Income-tax, Range-XVIII, Calcutta.	Ward-4(1), Calcutta.	I.T.O., "A" & "K" Wards, Dist. Calcutta.
5.	Deputy Commissioner of Income-tax Range-4.	Deputy Commissioner of Income-tax, Range-XVIII Calcutta.	Ward-4(2), Calcutta	I.T.O. "B" & "D" Wards, Dist. I, Calcutta.
6.	Deputy Commissioner of Income-tax, Range-4.	Deputy Commissioner of Income-tax, Range-XVIII, Calcutta.	Ward-4(3), Calcutta	I.T.O., "C" & "N" Wards, Dist. Calcutta.
7.	Dy. Commissioner of Income-tax, Range-4.	Dy. Commissioner of Income-tax, Range-XVIII, Cal.	Ward-4(4), Calcutta.	I.T.O., "E" & "Q" Wards, Dist. Cal.
8.	Dy. Commissioner of Income-tax, Range-4, Calcutta.	Dy. Commissioner of Income-tax, Range-XVIII, Calcutta.	Ward-4(5), Calcutta.	I.T.O., "H" & "I" Wards Distt. VI, Calcutta.
9.	Dy. Commissioner of Income-tax, Range-4, Calcutta.	Dy. Commissioner of Income-tax, Range-XVIII, Calcutta.	Ward-4(6) Calcutta.	I.T.O., "F" & "J" Ward Dist. VI, Calcutta.
10.	Dy. Commissioner, of Income-tax, Range-4, Calcutta.	Dy. Commissioner of Income-tax, Range-XVIII, Calcutta.	Ward-4(7), Calcutta.	I.T.O., "G" Ward, Dist. VI, Calcutta.
11.	Dy. Commissioner of Income-tax, Range-4, Calcutta.	Dy. Commissioner of Income-tax, Range-XVIII, Calcutta.	Ward-4(8), Calcutta	I.T.O., "L" Ward, Distt. VI Calcutta.
12.	Dy. commissioner of income-tax, Range-4, Calcutta.	Dy. Commissioner of Income-tax, Range-IV, Calcutta.	Ward-4(9), Calcutta.	I.T.O., "A" & "F" Wards, Dist. Calcutta.
13.	Dy. Commissioner of Income-tax, Range-4, Calcutta.	Dy. Commissioner of Income-tax, Range-IV, Calcutta	Ward-4(10), Calcutta.	I.T.O., "B" & "D", Wards, Dist. VII, Calcutta.
14.	Dy. Commissioner of Income-tax Range-4, Calcutta.	Dy. Commissioner of Income-tax Range-IV, Calcutta.	Ward-4(11), Calcutta.	I.T.O., "C" & "H" Wards, Dist. VII, Calcutta.
15.	Dy. Commissioner of Income-tax Range-4, Calcutta.	Dy. Commissioner of Income-tax Range-IV, Calcutta.	Ward-4(12), Calcutta.	I.T.O., "E" Ward, Dist. VIII, Calcutta.
16.	Dy. Commissioner of Income-tax, Range-4, Calcutta.	Dy. Commissioner of income-tax Range-IV, Calcutta.	Ward-4(13), Calcutta.	I.T.O., "J" & "K" Wards, Dist. Dist. VII, Calcutta.
17.	Dy. Commissioner of Income-tax, Range-4, Calcutta.	Dy. Commissioner of Income-tax, Range-IV, Calcutta.	Ward-4(14), Calcutta.	I.T.O., "G" Ward, Dist. VII, Calcutta.
18.	Dy. Commissioner of income-tax Range-4, Calcutta.	Dy. Commissioner of Income-tax, Range-IV, Calcutta.	Ward-4(15), Calcutta.	I.T.O., "M" Ward, Dist. VII, Calcutta.
19.	Dy. Commissioner of Income-tax, Range-4, Calcutta.	Dy. Controller of Estate Duty Range, Calcutta.	Asstt. Controller of Estate Duty Ward-4(16), Calcutta.	Asstt. Controller, Estate Duty Circle Calcutta.
20.	Dy. Commissioner of Income-tax, Range-4, Calcutta.	Dy. Commissioner of Income-tax, Range-XXIV, Calcutta.	Ward-4(17), Calcutta.	I.T.O., Co-operative Societies Circle, Calcutta.

भाषण

[सं. 10/88 - 89/प. नं.]

का. भा. 2624 :—प्रायकर प्रायुक्त, पश्चिम बंगाल-5 के प्रभार के वर्तमान बाडों/सकिलों के नये नाम करने, समाप्त होने, विलयन होने और पिनार्क 1-7-88 से नये बाडों और सकिलों का सृजित होने के फलस्वरूप निम्नलिखित सहायक प्रायुक्तों और प्रायकर अधिकारियों को, तत्काल स्थानान्तरण और सैनानी का प्रादेश दिया जाता है।

क्रम सं.	अधिकारी का नाम	से (वर्तमान) सैनानी)	तक (नया सैनानी)	टिप्पणी
1	2	3	4	5
1.	श्री डी. राजशेखरन,	सहायक प्रायकर प्रायुक्त, ए-बाड, सी-5, कल. को प्रतिरिक्त कार्य-भार के रूप में श्री-बाड कम.-5 कल. को संभाले हुए हैं।	सहायक प्रायकर प्रायुक्त, सकिल 9(1), कल.	बाड, ए और जे कम.-5 कल. के विलयन पर सकिल के नये नाम करने
2.	श्री ए. सेन गुप्ता,	सहायक प्रायकर प्रायुक्त, बी-बाड, कम.-5, कल. जो आई-बाड, कम.-5, कल. को प्रतिरिक्त कार्य-भार के रूप में संभाले हुए हैं।	सहायक प्रायकर प्रायुक्त सकिल 7(2) कल.	बाड बी. और आई. कम.-5, कल. के विलयन पर, सकिल के नये नाम करने
3.	श्री एस. बलर्जी,	सहायक प्रायकर प्रायुक्त, सी-बाड कम.-5, कल. जो एक और डी और जी-बाड कम.-5 कल. को प्रतिरिक्त कार्यभार के कारण में संभाले हुए हैं।	सहायक प्रायकर प्रायुक्त सकिल 9(3), कल.	बाड सी, ई और जी कम.-5 कल. के विलयन पर सकिल के नये नामकरण
4.	श्री रमिन्द्र नाथ सिन्हा]	सहायक प्रायकर प्रायुक्त, एच-बाड कम.-5, कल. जो एक-बाड, कम.-5, कल. को प्रतिरिक्त कार्य-भार के रूप में संभाले हुए हैं।	सहायक प्रायकर प्रायुक्त सकिल 9(4), कल.	बाड एच एक और डी, कम.-5 कल. के विलयन पर सकिल के नये नाम करने
5.	श्री प्रार. बी. राम,	सहायक प्रायकर प्रायुक्त, बी-बाड, कम.-5, कल. जो टी, ई और एफ-बाड, कम.-5, कल. को प्रतिरिक्त कार्यभार के रूप में संभाले हुए हैं।	सहायक प्रायकर प्रायुक्त सकिल 9(5), कल.	बाड, बी. डी. ई और एफ बाड, कम.-5 कल. के विलयन पर सकिल से नये नामकरण
श्री राम, अपने प्रादेश तक, अपने कार्यभार के प्रतिरिक्त जांच सकिल 9(1), कल. के भी कार्यभार को संभालेंगे।				
6.	श्री बी. हेमन्त	प्रायकर अधिकारी ए और सी बाड, कम.-6, कल.	प्रायकर अधिकारी बाड, 9(1), कल.	बाड ए और सी, कम. 6, कल. के विलयन पर बाड के नये नामकरण
7.	श्री इन. के. सिन्हा	सहायक प्रायकर प्रायुक्त, प्रतिरिक्त बाड जिला-6 कल.	सहायक प्रायकर प्रायुक्त जांच सकिल 4 (1), कल.	प्रतिरिक्त बाड, ए और बाड बी जिला-6 कल. के विलयन पर सकिल के नये नामकरण
8.	श्री के. एन. सिकंदर	सहायक प्रायकर प्रायुक्त प्रतिरिक्त ए-बाड, जिला-6, कल.	सहायक प्रायकर प्रायुक्त, जांच सकिल 4 (2) कल.	प्रतिरिक्त बाड, ए जिला 9 जो श्री एस. के. जोरदार को सकिल 4(1), कल. में स्थानान्तरण पर नये सकिल का नामकरण
9.	श्री एस. के. जोरदार	सहायक प्रायकर प्रायुक्त, प्रतिरिक्त "ए" बाड, जिला-7, कल.	सहायक प्रायकर प्रायुक्त, सकिल 4(1) कल.	नये सृजित सकिल 4(1) में सैनानी, जिसके क्षेत्रों प्रकार जिला-6 और 7 में, 2 लाख से ऊपर 5 लाख तक के मामलों की संज्ञा
10.	श्री एस. एस. राय	भा. प्र. ए-बाड जिला-6 कल.	भा. प्र. बाड, 4(1), कल.	बाड ए और के, जिला-6 कल. के विलयन पर नये बाड का नामकरण
11.	श्री ए. प्रार. चटर्जी	भा. प्र. बी-बाड जो प्रतिरिक्त कार्यभार के रूप में सी-बाड, कम. जिला-8, को संभाले हुए हैं।	भा. प्र., बाड, 4(2) कल.	बाड डी और बी, जिला-6, के विलयन पर नये बाड का नामकरण
12.	श्री एस. के. प्रमाणिक]	भा. प्र. जे बाड, 6, जिला कल.	भा. प्र. बाड, 4(3) कल.	सी और एन बाड, जिला 6, कल. से नये बाड का नामकरण।
13.	श्री पी. के. प्रसन्न	भा. प्र., ई बाड, जिला 6 जो एन बाड जिला 6 कल. को प्रतिरिक्त कार्यभार रूप में संभाले हुए हैं।	भा. प्र. बाड 4 (4) कल.	"ई" और एन बाड जिला 6, कल. के विलयन पर नये बाड का नामकरण

1	2	3	4	5
14.	श्रीमती पुष्पिमा सिंह	श्री. प्र., वार्ड-बाई, जिला-6 जो न्यू वार्ड, जिला-6 कल. को अतिरिक्त, कल. कार्यभार रूप में संभाले हुए हैं।	श्री. प्र. वार्ड. 4(5)	वार्ड-एच और आई, जिला-6 कल. को विलयन पर नये वार्ड का नामकरण
15.	श्री एच. बनर्जी	श्री. प्र. एफ-वार्ड, जिला-6, जो के-वार्ड, जिला-6 कल. के अतिरिक्त (5), कलकत्ता कार्यभार को संभाले हुए हैं।	श्री. प्र.-वार्ड, वार्ड-4	वार्ड एच और ओ, जिला-6, कल. के विलयन पर नये वार्ड का नामकरण
16.	श्री एस. के. गंगुली	श्री. प्र. जी-वार्ड, जिला-6. कल.	श्री. प्र. वार्ड. 4(7)	'जी' वार्ड, जिला-6 कल. के नये नामकरण
17.	श्री ए. बनर्जी	श्री. प्र., एच-वार्ड, जिला-6, कल.	श्री. प्र. वार्ड. 4(8)	एच-वार्ड, जिला-6, कल. के नये नामकरण
18.	श्री एन. के.	श्री. प्र. 'सी'-वार्ड, जिला-6 कल.	श्री. प्र. विशेष रेंज 5 (1), कल.	उपभायकर प्रायुक्त, विशेष रेंज-5 के अधीन नया वार्ड
19.	श्री ए. के. प्रभाविक	श्री. प्र. ए-वार्ड, जिला-7 कल.	श्री. प्र. वार्ड-4(9), कल.	वार्ड, ए और एफ जिला-9, कल. के विलयन पर नये वार्ड का नामकरण
20.	श्री एस. सी. चटर्जी	श्री. प्र. बी-वार्ड, जिला-7, कल.	श्री. प्र., वार्ड-4(10) कल.	वार्ड-डी और बी., जिला-7, कल. के विलयन पर नये वार्ड का नामकरण
21.	श्री डी. मजुमदार	प्रायकर अधिकारी, 'सी' वार्ड, जिला-7, कल. जो जे वार्ड, जिला-7 कल. के अतिरिक्त कार्यभार को संभाले हुए हैं।	प्रायकर अधिकारी, वार्ड 4(11), कल.	वार्ड सी और एच जिला-7, कल. विलयन पर नये वार्ड का नामकरण
22.	श्री ए. घोष	प्रायकर अधिकारी, 'ई' वार्ड, जिला-7, कल.	प्रायकर अधिकारी, वार्ड 4(12), कल.	'ई' वार्ड, जिला-7 कल. के नये नामकरण
23.	श्री डी. एन. विश्वास	प्रायकर अधिकारी, 'के' वार्ड, जिला-7 कल.	प्रायकर अधिकारी, वार्ड 4(13) कल.	वार्ड जे और 'के' जिला-7 कल. के विलयन पर नये वार्ड का नामकरण
24.	श्री एम. एम. चौधरी	प्रायकर अधिकारी, 'जी' वार्ड, जिला-7 कल.	प्रायकर अधिकारी, वार्ड 4(14), कल.	'जी' वार्ड, जिला-7 कल. के नये वार्ड का नामकरण
25.	श्री जी. सी. मल्लिक	प्रायकर अधिकारी, 'एम' वार्ड, जिला-7, कलकत्ता	प्रायकर अधिकारी, वार्ड, 4(15), कल.	'एम' वार्ड, जिला-7, कल. के नये नामकरण
26.	श्री पी. के. मित्रा	प्रायकर अधिकारी, 'डी'-वार्ड, जिला-7 कल. जो 'एफ' वार्ड, जिला-7 कल. के प्रभार को संभाले हुए हैं।	प्रायकर अधिकारी, विशेष रेंज-5(2), कलकत्ता	उप प्रायकर प्रायुक्त, विशेष रेंज-5, कल. के अधीन नये वार्ड का नामकरण
27.	श्री के. सी. आर्या	सहायक नियंत्रक संपदा शुल्क संचालक, कल.	प्रायकर अधिकारी, वार्ड 4(16), कल.	संपदा शुल्क संचालक, कल. के सभी वार्डों के विलयन पर नये वार्ड का नामकरण
28.	श्री डी. दे	प्रायकर अधिकारी, सहाकारी समिति संचालक, कल.	प्रायकर अधिकारी, वार्ड 4(17) कल.	नये वार्ड का नामकरण

[सं. जुट./प. सं. 5/88-89]

ORDER
[No. 10/88-89/UB]

S. O. 2824 .—Consequent to the abolition/merger/ Redesignation of the existing Wards/Circles and creation of new Wards/Circles w.e.f. 1-7-1988 in the Charge of Commissioner of Income-Tax, West Bengal-V, Calcutta, the following transfers and postings of Assistant Commissioners and Income-Tax Officers are hereby ordered with immediate effect.

Sl. No.	Name of the Officer	From (Present posting)	To (New posting)	Remarks
1	2	3	4	5
1.	Shri D. Rajasekharan	Asstt. Commissioner of Income-tax, 'A' Ward, C-V, Cal. holding Addl. Charges of 'J' Ward, C-V, Cal.	Asstt. Commissioner of Income-tax, Coy. Circle 9(1) Cal.	Redesignated Circle on merger of Wards, 'A' & 'J' C-V, Cal.
2.	Sri A. Sen Gupta	Asstt. Commissioner of Income-tax, 'B' Ward, C-V, Cal. holding Addl. charge of 'I' Ward, C-V, Cal.	Asstt. Commissioner of Income-tax, Coy. Circle 9(2), Cal.	Redesignated Circle on merger of Wards 'B' & 'I' C-V, Cal.

1	2	3	4	5
3. Sri S. Banerjee	Asstt. Commissioner of Income-tax, 'C' Ward, C-V, Cal holding Addl. Charges of 'F', 'D' & 'G' Wards, C-V, Cal.	Asstt. Commissioner of Income-tax Coy Circle 9(3) Cal.	Redesignated Circle on merger of Wards. 'C', 'E' & 'G', C-V, Cal.	
4. Sri Rahindra Nath Sinha	Asstt. Commissioner of Income-tax, 'H' Ward, C-V, Cal. holding Addl. charge of 'F' Ward C-V, Cal.	Asstt. Commissioner of Income-tax Coy. Circle 9(4) Cal.	Redesignated Circle on merger of 'H' 'F' & 'D' Ward, C-V, Cal.	
5. Sri R.B. Ram	Asstt. Commissioner of Income-tax B, Ward, C-V, Cal, holding Addl. charges of 'D', 'E' & 'F' Wards, C-VI, Cal.	Asstt. Commissioner of Income-tax, Circle 9 (5) Cal.	Redesignated Circle on merger of 'B' 'D', 'E' & 'F' Wards, C-VI Cal.	
Shri R.B. Ram will hold the charge of Investigation Circle 9(1), in addition to his own charge, until further orders.				
6. Sri B. Hembrom	Income-tax Officer, 'A' & 'C' Wards, C-VI, Cal.	Income-tax Officer, Ward 9(1) Cal.	Redesignated wards on merger of 'A' & 'C' Wards of C-VI Cal.	
7. Sri N.K. Sinha	Asstt. Commissioner of Income-tax, Addl. 'A' Ward, Dist. VI, Cal.	Asstt. Commissioner of Income-tax, Inv. Circle, 4(1), Cal.	Redesignated Circle on merger of Wards Addl. 'A' & Addl. 'B' Wards Dist. VI, Cal.	
8. Sri K.N. Sikdar	Asstt. Commissioner of Income-tax, Addl. 'B' ward, Dist. VI, Cal.	Asstt. Commissioner of Income-tax, Inv. Circle 4(2), Cal.	Redesignated Circle of Addl. 'A' ward, Dist. VII, held by Sri S.K. Joardar since transferred and posted in Circle 4(1) Cal.	
9. Sri S.K. Joardar	Asstt. Commissioner of Income-tax, Addl. 'A' ward, Dist. VII Cal.	Asstt. Commissioner of Income-tax, Circle 4(1), Cal.	Posted in the newly created circle 4(1), Cal. which will have jurisdiction of all the scrutiny cases over Rs.2 lakhs and upto Rs. 5 lakhs in Dist. VI & VII, Cal.	
10. Sri S.S. Dey	I.T.O. 'A' Ward Dist. VI, Cal.	I.T.O. Ward, 4(1) Calcutta.	Redesignated Ward, on merger of 'A' & 'K' Wards, Dt. VI, Cal.	
11. Shri A.R. Ghatak	I.T.O. 'D' Ward, holding addl. charge of 'C' Ward, Dt. VI, Cal.	I.T.O. Ward 4(2) Calcutta.	Redesignated Ward, on merger of D & B Ward, Dt. VI, Cal.	
12. Sri S.K. Paramanick	I.T.O. 'J' Ward, Dt. VI, Cal.	I.T.O. Ward, 4(3) Calcutta.	Redesignated Ward C & N Wards, Dt. VI, Calcutta.	
13. Sri P.K. Bhakta	I.T.O. 'E' Ward Dt. VI, holding Addl. charge of 'N' Ward, Dt. V, Calcutta.	I.T.O. Ward 4(4) Calcutta.	Redesignated Ward on merger of E&Q Wards, Dt. VI, Cal.	
14. Smt. Purnima Sinha	I.T.O. 'I' Ward Dt. VI holding Addl. charge of 'Q' Ward, Dt. VI, Calcutta.	I.T.O. Ward, 4(5) Calcutta.	Redesignated Ward on merger of H&T Wards, Dt. VI, Cal.	
15. Sri H. Banerjee	I.T.O. 'F' Ward, Dt. VI holding Addl. charge of 'K' Ward, Dt. VI, Calcutta.	I.T.O. Ward, 4(6) Calcutta.	Redesignated Ward on merger of F&J Wards, Dt. VI, Cal.	
16. Sri S.K. Ganguly	I.T.O. 'G' Ward, Dist. VI, Calcutta	I.T.O. Ward, 4(7), Calcutta.	Redesignated 'G' Ward, Dist. VI, Cal.	
17. Sri A. Banerjee	I.T.O., 'H' Ward, Dist. VI, Calcutta.	I.T.O. Ward, 4(8) Calcutta.	Redesignated 'L' Ward, Dist. VI, Calcutta.	
18. Sri N.K. Das Choudhury	I.T.O. 'B' Ward, Dist. VI, Calcutta.	I.T.O. Spl. Range 5(1), Cal.	New Ward under Dy. Commissioner, Spl. Range-5.	
19. Sri A.K. Paramanick	I.T.O. 'A' Ward, Dist. VII, Calcutta.	I.T.O. Ward, 4(9), Calcutta.	Redesignated Ward on merger of A&F Wards, Dt. VII, Calcutta.	
20. Sri S.C. Chatterjee	I.T.O. 'B' Ward, Dist. VII, Cal.	I.T.O. Ward 4(10) Calcutta.	Redesignated Ward on merger of B&D Wares, Dist. VII, Cal.	
21. Sri C.D. Majumdar	Income-tax officer, 'C' Ward, Dist. VII, Cal holding Addl. charge of 'J' Ward, Dist. VII, Cal.	Income-tax Officer, Ward 4(11), Cal.	Redesignated Ward on merger of 'C' & 'H' Wards, Dist. VII Cal.	

SCHEDULE

22. Sri A. Ghosh	Income-tax Officer, 'E' Ward, Dist. VII, Cal.	Income-tax Officer, Ward 4(12), Cal.	Redesignated 'E' Ward, Dist. VII, Cal.
23. Sri D.N. Biswas	Income-tax Officer, 'K' Ward, Dist. VII, Cal.	Income-tax Officer, Ward 4(13), Cal.	Redesignated Ward on merger of 'J' & 'K' Wards, Dist. VII Cal
24. Sri N.M. Choudhury	Income-Tax Officer, 'G' Ward, Dist. VII, Cal.	Income-tax Officer, Ward 4(14), Cal.	Redesignated 'G' Ward, Dist. VII, Cal.
25. Sri G.C. Mullick	Income-tax Officer, 'M' Ward, Dist. VII, Cal.	Income-tax Officer, Ward 4(15), Cal.	Redesignated 'M' Ward, Dist. VII, Cal.
26. Sri P.K. Mitra	Income-tax Officer, 'D' Ward, Dist. VII, Cal. holding Addl. Charge of 'F' Ward, Dist. VII, Cal.	Income-tax Officer, Spl. Range 5(2), Cal.	New Ward under Dy. Commissioner of Income-tax Spl Range-5, Cal.
27. Sri K.C. Arya	Asstt. Controller of Estate duty Circle, Cal.	Income-tax officer, Ward 4(16), Cal.	Redesignated Ward on merger of all the Wards of Estate Duty Circle, Cal.
28. Sri D. Day	Income-tax Officer, Co-operative Society Circle, Cal.	Income-tax Officer, Ward 4(17), Cal.	Redesignated Ward.

[No. Jur/WB-V/88-89]

कलकत्ता, 22 जून, 1988

आदेश

[सं. P/88-89]

क्रा. घा. 2825 :- आयकर अधिनियम, 1961 (1961 का 43) की धारा 120 की उपधारा (1) और (2) द्वारा और भु. धा. (नक) के आदेश सं. 12-88-89 दिनांक 16-8-88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस संबंध में वर्तमान सभी आदेशों को अधिकरण करते हैं, आयकर, आयुक्त पश्चिम बंगाल-6, कलकत्ता एतद्वारा

(क) निदेश देता हूँ कि निम्न सूची के स्तंभ-2 में वर्णित आयकर अधिकारियों के नाम बदलकर उक्त अनुसूची के स्तंभ 3 में तदनुसूची प्रविष्टि के अनुसार नये पदनाम हो जायेंगे।

(ख) निदेश देता हूँ कि स्तंभ 3 में वर्णित आयकर प्राधिकारियों उक्त अनुसूची के स्तंभ 4 की तदनुसूची प्रविष्टियों में विनिर्दिष्ट मामलों के संदर्भ में ऐसे सभी क्षेत्रों या ऐसे सभी व्यक्तियों या व्यक्ति समूहों या ऐसी सभी आय या आय वर्गों या ऐसे सभी मामलों या मामलों के वर्गों के विषय में उप आयकर आयुक्त के शक्तियों का प्रयोग करेंगे एवं कार्य करेंगे संबंध में उक्त अनुसूची स्तंभ-2 में वर्णित आयकर प्राधिकारी और अधीनस्थ अधिकारी अपना कार्य इस अधिसूचना के प्रारम्भ के पहले कर रहे थे।

(ग) अनुसूची के स्तंभ-3 में वर्णित आयकर प्राधिकारियों को प्राधिकृत करता हूँ कि वे अपने अधीन आयकर प्राधिकारियों को लिखित आदेश दे कि ऐसे क्षेत्रों या ऐसे व्यक्तियों या व्यक्ति समूहों या ऐसी आय या आय वर्गों के विषय में उनके अधीन सभी या कोई आयकर प्राधिकारी इन आदेशों के विनिर्दिष्ट के अनुसार "निर्धारण अधिकारी" के शक्तियों का प्रयोग करें और कार्य करें।

क्रम सं.	वर्तमान आयकर प्राधिकारी का नाम जो दिनांक 1-7-88 से समाप्त किया गया।	नये आयकर प्राधिकारी जो दिनांक 1-7-88 से मूजित किया गया	स्तंभ 3 में आयकर प्राधिकारियों के अधिकार ऐसे सभी मामले जो वर्तमान के वर्गों/सकिलों में पड़ते थे या पड़ेंगे किन्तु इन अधिसूचना के लागू होने पर
1	2	3	4
1	1. आयकर आयुक्त रेंज-24	उप आयकर रेंज-9 कलकत्ता	कम - 5
2.	2. उप आयकर आयुक्त रेंज-27		कम - 6
2.	1. उप आयकर आयुक्त रेंज-4	उप आयकर आयुक्त रेंज-4	जिला-7
	2. उप आयकर आयुक्त रेंज-18		जिला-6
	3. उप निर्यतक संपदा शुल्क रेंज		संपदा शुल्क सकिल
	4. उप आयुक्त रेंज 24 कलकत्ता		सत्रकारी शक्ति सकिल
3	उप आयकर आयुक्त (निर्धा.) रेंज - 5 यह अधिसूचना तत्काल लागू होगी।	विनोय रेंज-5	(निर्धारण) रेंज-5

[सं. प. वं. 5/पुनर्गठन/88-89]

एस. मजुमदार आयकर आयुक्त

ORDER

NOTIFICATION NO. 8/88-89]

Calcutta, 22nd June, 1988

S.O. 2825.—In exercise of the powers conferred on me under sub-sections (1) and (2) of Section 120 of the I.T. Act, 1961, and all other powers enabling me in this behalf and in terms of CCT order No. 12/88-89 dt. 16-6-88 and in supersession of the existing orders in this regard, I, the Commissioner of Income Tax, West Bengal-V, Calcutta hereby —

- (a) direct that the Income Tax Authorities specified in Col. 2 of the Table below shall stand abolished on their merger with/re-designation into, the Income Tax Authorities specified in Col. 3 of the said Table;

(b) direct that the Income Tax Authorities specified in Col. 3 shall—exercise the powers and perform the functions of a Deputy Commissioner of Income over all the areas, persons or classes of persons, incomes or classes of incomes and cases or classes of cases which are correspondingly specified in Col. 4 and over which the authorities specified in Col. 2 and their subordinate officers exercised jurisdiction prior to coming into force of this notification or would have exercised jurisdiction had this notification not come into force; and

(c) authorise the said Income Tax Authorities in Col. 3 to issue orders in writing for the exercise of all or any of the powers of and performance of all or any of the functions of an "Assessing Officer" by all or any of the Income Tax Authorities who are subordinate to them, in respect of such territorial areas or of such persons or classes of persons or of such incomes or classes of incomes or of such cases or classes of cases as may be specified by them in such orders.

SCHEDULE

Sl. No.	Existing Income-Tax Authorities abolished w.e.f. 1-7-1988	New Income-Tax Authorities created w.e.f. 1-7-1988	Jurisdiction of the Authorities in Col. 3
			All cases that fell or that would have fallen, but for the coming into force of this notification, in the Wards/Circles in the present—
1	2	3	4
1.	(1) Deputy Commissioner of Income Tax, Range-XXIV (2) Deputy Commissioner of Income-tax, Range-XXVII	Deputy Commissioner of Income Tax, Range-9, Calcutta.	C—V C—VI
2.	(1) Deputy Commissioner of Income Tax, Range-IV (2) Deputy Commissioner of Income Tax, Range-XVIII (3) Deputy Controller Estate Duty Range (4) Deputy Commissioner Range-XXIV/Cal.		
3.	Deputy Commissioner of Income Tax (Assessment) Range-V	Special Range-5	Distt.-VI Estate Duty Circle. Cooperative Society Circle. (Assessment) Range-V

2. This notification shall take immediate effect.

[No. W.B.-V/Reorganisation/88-89]

S. MAIUMDAR, Commissioner of Income-Tax

वाणिज्य संचालय

नया दिल्ली, 24 मई-मई, 1988

का. आ. 2816—केन्द्रीय सरकार, नियमित (क्यालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 8 द्वारा पदों शक्तियों का प्रयोग करने हुए, वैश्वम फलाम्क के संबंध में भारतीय मानक धुरी परामर्श-बिज्ञ को मान्यता देने की प्रस्तावना यह उपस्थित करने के प्रयोजन के लिए, अर्थात् कि जहां वैश्वम फलाम्कों पर जो निम्न न्याय या चिपकार गए हैं वहां उन्हें उक्त अधिनियम के अर्थात् उन पर लागू मानक विनियमों के अनुरूप समझा जाएगा।

श्री : केन्द्रीय सरकार ने इस विषय में अपने प्रस्ताव को निश्चित करने के पश्चात् निर्माण (क्यालिटी नियंत्रण और निरीक्षण) अधिनियम, 1964 के नियम II के उपनिबन्ध (1) की अपेक्षात्मात् निर्माण निरीक्षण परिषद को सेवा दिया है :

और केन्द्रीय सरकार ने पूर्वोक्त प्रस्ताव के संबंध में परिषद से प्राप्त उस आदेश पर विचार कर लिया

अतः अब, केन्द्रीय सरकार उक्त अधिनियम के अनुसूची में अपने प्रस्तावों को, ऐसे लोगों की जानकारी के लिए प्रकाशित करती है, जिनके उनसे प्रभावित होने की सम्भावना है।

2. सूचना दी जाती है कि ऐसा कोई व्यक्ति जो उक्त प्रस्तावनों के बारे में कोई आशय या सुझाव देना चाहता है या वह उसे इस अधिनियम के अनुसूची में प्रकाशित होने की तारीख से पंद्रहवें दिन के भीतर, निर्माण निरीक्षण परिषद, 11वीं मंजिल, प्रगति हाउस 26, राजेंद्र प्लेस, नयी दिल्ली, 110008 को भेज सकेगा।

स्पष्टीकरण i(i) इस अधिनियम में "वैश्वम फलाम्क" के कोई ऐसा व्यक्ति मात्र अभिप्रेत है जिसमें ऐसी बाहरी संग्रहालय में पैटी होती है जिस पर संरक्षण की व्यवस्था है और उसे ले जाने के लिए उपयुक्त साधन हैं। बाहरी पैटी में दोहरी कांच का दीवार वाला डॉट सहित पात्र (जिसे रिक्ल कहा जाता है) रखा जाएगा, जिसकी दीवार रजित होगी और

उनके बीच के गलत को नियात रखा जाएगा जिससे कि उसमें रखे गए पदार्थों से कम से कम नती बाहर जा सके या बाहर से अन्दर आ सके।

(ii) उक्त वैक्यूम फ्लास्क को लिए निर्मित रिकिल अनिप्रेत है।

[फाईल सं. 6(14)/88-ईआईएच ईपी]

पाद टिप्पण: का. भा. 4258 तारीख 14 सितम्बर, 1985

MINISTRY OF COMMERCE

New Delhi, the 24th September, 1988

S.O. 2826.—Whereas the Central Government, in exercise of the powers conferred by section 8 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), proposes to recognise the Bureau of India Standards Certification Mark in relation to Vacuum Flasks for the purpose of denoting that where Vacuum Flasks are affixed or applied with such mark, they shall be deemed to be in conformity with the standard specifications applicable thereto under the said Act;

And whereas, the Central Government, after formulating its proposal in this behalf, forwarded the same to the Export Inspection Council as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964;

And whereas, the recommendations received from the Council on the aforesaid proposal have been considered by the Central Government;

Now, therefore, in pursuance of the said sub-rule, the Central Government hereby publishes its proposal for the information of the public likely to be affected thereby.

2. Notice is hereby given that any person desiring to forward any objections or suggestions with respect to the said proposal may forward the same within forty-five days of publication of this notification in the Official Gazette to the Export Inspection Council, 11th Floor, Pragati Tower 26, Rajendra Place, New Delhi-110008.

EXPLANATION : In this Order, 'Vacuum Flask' means (i) any composite container consisting of an outer protective case provided with a closure and suitable means for its carrying. The outer case shall house a stoppered double walls silvered and the space in between maintained under vacuum to reduce to a minimum the transfer of heat to and from the contents placed in it, and (ii) refills meant for the said vacuum flasks.

[F. No. 6(14)/88-EI&EP]

FOOT NOTE : S.O. 4258 dated 14-9-1985.

भारत

का. भा. 2827 — केन्द्रीय सरकार की राय है कि निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत में निर्यात व्यापार के विकास के लिए भारत सरकार के वाणिज्य मंत्रालय के वैक्यूम फ्लास्क से संबंधित आदेश सं. का. भा. 4258 तारीख 14 सितम्बर, 1985 में नीचे बिलिन्डिटे रीति से संशोधन करना आवश्यक और समीचीन है;

और केन्द्रीय सरकार ने उक्त प्रयोजन के लिए नीचे बिलिन्डिटे प्रस्तापनाएं निश्चित की हैं और उन्हें निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 11 के उप-नियम (2) की अपेक्षानुसार निर्यात निरीक्षण परिषद को भेज दिया है;

अतः अब, केन्द्रीय सरकार, उक्त उपनियम के अनुसरण में प्रस्तापनाओं को ऐसे लोगों की जानकारी के लिए प्रकाशित करती है, जिनके उनसे प्रभावित होने की संभावना है।

2. सूचना दी जाती है कि ऐसा कोई व्यक्ति जो उक्त प्रस्तापनाओं के बारे में कोई आक्षेप या सुझाव देना चाहता है वह उसे इस आदेश के राजपत्र में प्रकाशित होने की तारीख से पचासीस दिन के भीतर निर्यात निरीक्षण परिषद, 11वीं मंजिल, प्रगति टावर, 26, राजेंद्र प्लेस, नवी दिल्ली-110 008 को भेज देनेगा।

प्रस्तापना

(1) उक्त आदेश में, पैरा-1 के खंड-1 (iv) में "निर्यात योग्य" शब्द के स्थान पर "निर्यात योग्य या उक्त अधिनियम की धारा 8 के अधीन केन्द्रीय सरकार द्वारा मान्यता प्राप्त मुद्रा या चिह्न के साथ निर्यात जाता है" शब्द रखे जाएंगे।

[फाईल सं. 6(14)/88-ईआईएच ईपी]

एन. एस. हरीहरन, निदेशक

पाद टिप्पण: का. भा. 4258 तारीख 14 सितम्बर, 1985.

S.O. 2827.—Whereas the Central Government is of the opinion that in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), it is necessary to amend the Order of Government of India in the Ministry of Commerce No. S.O. 4258 dated 14th September, 1985 regarding Vacuum Flasks in the manner specified below for the development of the Export Trade of India;

And whereas the Central Government has formulated the proposal specified for the said purpose and has forwarded the same to the Export Inspection Council as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964;

Now, therefore, in pursuance of the said sub-rule, the Central Government hereby publishes the said proposal for the information of the public likely to be affected thereby.

Notices is hereby given that any person desiring to forward any objections or suggestions with respect to the said proposal may forward the same within forty-five days from the date of publication of this Order in the Official Gazette to the Export Inspection Council, 11th floor, Pragati Tower, 26, Rajendra Place, New Delhi-110008.

PROPOSAL

(1) In the said Order, in paragraph 1, in clause (iv), for the word "Exportworthy", the words "exportworthy or is affixed with a seal or mark recognised by the Central Government under section 8 of the said Act" shall be substituted.

[F. No. 6(14)/88-EI&EP]

N. S. HARIHARAN, Director

FOOT NOTE : S.O. 4258 dated the 14th September, 1985.

योजना मंत्रालय

(कार्यकारी विभाग)

नई दिल्ली, 6 सितम्बर, 1988

का. भा. 2828:— भारतीय सांख्यिकीय संस्थान अधिनियम, (सं. 37) 1959 के खंड 8 उप-खंड (1) एतद्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा निम्नलिखित व्यक्तियों की एक समिति का गठन करती है:—

1. प्रो. वाई. के. घलण,
सदस्य योजना आयोग,
नई दिल्ली 1

अध्यक्ष

2. प्रो. के. एल. कृष्ण, विश्वो स्कूल ऑफ इकोनॉमिक्स विल्यो विश्वविद्यालय, दिल्ली	सदस्य	3. Prof. Deepak Nayyar, Jawaharlal Nehru University, New Delhi.	Member
3. प्रो. दीपक नैयर जवाहर लाल नेहरू विश्वविद्यालय नई दिल्ली	सदस्य	4. Nominee of Indian Statistical Institute.	Member
4. भारतीय सांख्यिकी संस्थान का मनोनीत	सदस्य	5. Integrated Financial Adviser to the Department of Statistics, New Delhi.	Member
5. सांख्यिकी विभाग के एकीकृत वित्तीय सलाहकार	सदस्य	6. Director-General Central Statistical Organisation, Department of Statistics, New Delhi.	Member
6. महानिदेशक, केन्द्रीय सांख्यिकीय संगठन सांख्यिकी विभाग, नई दिल्ली।	सदस्य	7. Deputy Secretary, Department of Statistics, New Delhi.	Member-Secretary
7. उप सचिव, सांख्यिकी विभाग, नई दिल्ली।	सदस्य-सचिव		

और उक्त समिति को निम्नलिखित कार्य निर्धारित करती है, अर्थात् :—

(1) कार्य के सम्मत कार्यक्रम (योजनागत तथा योजनागत दोनों) तथा 1988-89 की वित्तीय प्राक्कलनों (जैसा कि सरकार द्वारा भारतीय सांख्यिकीय संस्थान कलकत्ता को सहायक अनुदान देने के लिए 1988-89 के बजट प्राक्कलनों में प्रदान किया गया है) की समीक्षा करना तथा संशोधित प्राक्कलन 1988-89 में प्रदान की गई राशि के संबंध में शिफारिश करना, और

(2) (क) वर्ष 1989-90 के दौरान भारतीय सांख्यिकीय संस्थान-कलकत्ता द्वारा किए जाने वाले कार्य का कार्यक्रम (योजनागत तथा योजनागत दोनों) दर्शाने वाले विवरण तथा इस प्रकार के कार्य के लिए सामान्य वित्तीय अनुमान तैयार करना और उसे केन्द्र सरकार के समक्ष प्रस्तुत करना जिसके लिए केन्द्रीय सरकार निधि की व्यवस्था करती है।

(ख) कार्यक्रम से संबंधित विस्तृत स्फुरेखा निश्चित करना।

2. समिति अपनी रिपोर्ट सरकार को 15 नवम्बर 1988 पर प्रस्तुत करेगी।

3. सांख्यिकी विभाग समिति को जिसका मुख्यालय नई दिल्ली में होगा सचिवालय सहायता प्रदान करेगा।

[संख्या एम-12011/1/36 सांख्यिकी]

बी. बी. पी. राय, उप सचिव

MINISTRY OF PLANNING

(Department of Statistics)

New Delhi, the 6th September, 1988

S.O. 2828.—In exercise of the powers conferred by sub-section (1) of Section 8 of the Indian Statistical Institutes Act (No. 57) of 1959, the Central Government hereby constitutes a Committee consisting of:-

- | | |
|---|----------|
| 1. Prof. Y.K. Alagh,
Member,
Planning Commission,
New Delhi. | Chairman |
| 2. Prof. K.L. Krishna
Delhi School of Economics,
University of Delhi,
Delhi. | Member |

and assigns the following duties to the said Committee, namely:—

(1) Review of the agreed programme of work (both plan and non-plan) and the financial estimates for 1988-89 (as provided by Govt. in Budget Estimates for 1988-89 for paying Grant-in-aid to the Indian Statistical Institute Calcutta) and making recommendations regarding the amount to be provided in the Revised Estimates, 1988-89, and

(2) (a) Preparation and submission to the Central Govt. of statements showing programmes of work (both plan and non-plan) agreed to be undertaken by the Indian Statistical Institute, Calcutta, during the year 1989-90 for which the the Central Govt. may provide fund, as well as general financial estimates of such work.

(b) the settlement on broad lines of the programme of work.

2. The Committee shall submit its Report to the Government by 15th November, 1988.

3. The Department of Statistics shall render secretariat assistance to the Committee, the headquarters of which will be at New Delhi.

[No. M-12011/1/86-Coord.]

V.V.P. RAO, Dy. Secy.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 5 सितम्बर, 1988

का. अ. 2829 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोक हित में यह आवश्यक है कि गुजरात राज्य में चांदखेड़ा से रिलायन्स इंडस्ट्रीज तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदुपायधन अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित आवश्यक है।

अतः अन्न पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उससे सहयोग का अधिकार अर्जित करने का अपना अन्तिम एतदुपाय घोषित किया है।

बशर्ते कि उक्त भूमि में हितरक्ष कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन के बिछाने के लिए आक्षेप, सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकारपुरा रोड, बड़ोदरा-9 को इस अधिसूचना की तारीख से 11 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चित यह भी कथन करेगा कि क्या यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के माध्यम से।

अनुसूची

चांदखेड़ा से रिलायन्स इंडस्ट्रीज तक पाइप लाइन बिछाने के लिए
राज्य - गुजरात जिला - ता. ता. - गांधीनगर

गांव	ब्लॉक नं.	हेक्टेयर आर.	सेन्टीयर	
1	2	3	4	5
मुहीया	287	0	18	30
	286	0	19	20
	285	0	21	20
	295	0	22	80
	296	0	22	00
	कार्टट्रैक	0	03	04
	6	0	05	80
	5	0	12	74
	4	0	03	78
	8	0	03	00
	30	0	09	60
	2	0	11	00
	31	0	10	37
	32	0	09	10
	33	0	13	80
	37	0	27	40
	कार्टट्रैक	0	01	23
	96	0	79	20
	100	0	01	00
	97	0	41	00
	98	0	03	40
	99	0	12	00

[सं. श्री - 11027/155/88 - श्री एन जी/डी III]

MINISTRY OF PETROLEUM & NATURAL GAS

New Delhi, the 5th September, 1988

S.O. 2829.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Chand Kheda to Reliance Ind. in Gujarat State pipeline should be laid by the Oil and Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Mineral Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Oil and Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodara. (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Chandkheda to Reliance Ind.
State : Gujarat District & Taluka : Gandhinagar

Village	Block No.	He- tare	Are	Centi- tare
Muhiya	287	0	18	30
	286	0	19	20
	285	0	21	20
	295	0	22	80
	296	0	22	00
	Cart track	0	03	04
	6	0	05	80
	5	0	12	74
	4	0	03	75
	8	0	03	00
	30	0	09	60
	2	0	11	00
	31	0	10	37
	32	0	09	10
	33	0	13	80
	37	0	27	40
	Cart track	0	01	25
	96	0	79	20
	100	0	01	00
	97	0	41	00
	98	0	03	40
	99	0	12	00

[No. O-11027/155/88-ONG/D-III]

का. अ. 2830 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोक-हित में यह आवश्यक है कि गुजरात राज्य में चांदखेड़ा से रिलायन्स इंडस्ट्रीज तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदुपाय अतुलनी में वणित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अन्न पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार को उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बतर्त कि उक्त भूमि में हितवन्त कोई व्यक्ति, उस भूमि के नाथे पाइप लाइन बिछाने के लिए आक्षेप, सख्त आधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बडीदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति निम्नलिखित: यह भी कथन करेगा कि क्या यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के माफिक।

अतुलनी

चान्दखेड़ा से रिलायन्स इंडस्ट्रीज तक पाइपलाइन बिछाने के लिए
राज्य : गुजरात जिला व तालुका : गांधीनगर

गांव	सर्वे नं.	हेक्टेयर	आर.	सेन्टीयर
1	2	3	4	5
सुघड	34	0	11	00
	31/1	0	07	50
	31/2	0	16	60
	32/1	0	16	00
	32/2	0	27	00
	29	0	01	75
	28	0	26	80
	27/1	0	07	00
	27/3	0	38	60
	10	0	12	00
	11	0	13	00
काट्टेक	0	01	40	
	12/7	0	09	00
	13/2	0	12	40
	14	0	11	00
	15	0	08	80
	234	0	13	67
	2/1	0	18	00
	2/2	0	17	20
	1/2	0	11	60
काट्टेक	0	02	08	
	76/5/2	0	12	80
काट्टेक	0	02	40	
	102/1	0	21	00
	102/2	0	06	30
	101/1	0	16	40
	104	0	05	10
	105	0	12	40
	107/1	0	16	85
	106/1	0	02	94
	107/3	0	04	30
	101/2	0	06	80

1	2	3	4	5
	110/8	0	11	20
	110/9	0	13	20
	110/10	0	25	80
	111	0	00	72
	123/2+3+4	0	24	80
	काट्टेक	0	01	10
	124	0	00	28

[नं. प्रो- 11027/156/88 - प्रो एन जे /डी-III]

S.O. 2830.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Chand Khera to Reliance Ind. in Gujarat State pipeline should be laid by Oil and Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto :

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil and Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodara, (390009).

And every person making such an objection shall also stated specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Chandkheda to Reliance Ind.

State : Gujarat District & Taluka : Gandhinagar

Village	Survey No.	Hec- tare	Ac- re	Centi- are
1	2	3	4	5
Sughad	34	0	11	00
	31/1	0	07	50
	31/2	0	16	60
	32/1	0	16	00
	32/2	0	27	00
	29	0	01	75
	28	0	26	80
	27/1	0	07	00
	27/3	0	38	60
	10	0	12	00
	11	0	13	00
	Cart track	0	01	40
	12/7	0	09	00
	13/2	0	12	40
	14	0	11	00
	15	0	08	80
	234	0	13	67

1	2	3	4	5	1	2	3	3	5
	2/1	0	18	00		119/2	0	31	40
	2/2	0	17	20		कार्ट ट्रैक	0	00	80
	1/2	0	11	60		113	0	00	30
	Cart track	0	02	08		124	0	42	40
	76/5/2	0	12	80		125	0	22	40
	Cart track	0	02	40		109/2	0	27	40
	102/1	0	21	00		109/3	0	25	1 0
	102/2	0	06	30		कार्ट ट्रैक	0	03	40
	101/1	0	16	40		135/1	0	12	80
	104	0	05	10		135/2	0	12	40
	105	0	12	40		138	0	20	40
	107/1	0	16	85		140	0	26	10
	106/1	0	02	94		141/2	0	12	80
	107/3	0	04	80		141/1	0	00	40
	101/2	0	06	80		143/2	0	00	88
	110/8	0	11	20		142	0	18	52
	110/9	0	13	20		148	0	19	80
	110/10	0	25	80		150	0	24	40
	111	0	00	72		152	0	12	20
	123/2+3+4	0	24	80		154	0	09	20
	Cart track	0	01	10		157	0	13	5 0
	124	0	00	20					

[No. O-11027/156/88-ONG/D-III]

का. प्रा. 2831—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोक-हित में यह आवश्यक है कि गुजरात राज्य में चांदखेड़ा से रिलायन्स इंडस्ट्रीज तक पेट्रोलियम के परिवहन के लिए वाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जाना चाहिए।

और यतः यह प्रतीत होता है कि ऐसी जगहों की बिछाने के प्रयोजन के लिए एनर्पाबल अनुसूची में वर्णित भूमि में उपयोग का अधिकार प्रजित करना आवश्यक है।

अतः सब पेट्रोलियम और खनिज वाइपलाइन (भूमि में उपयोग के अधिकार का अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा (1) प्रयोजन शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार प्रजित करने का अपना आग्रह एनर्पाबल घोषित किया है।

बसर्त कि उक्त भूमि में हितवन्त कोई व्यक्ति, उक्त भूमि के तत्त्व वाइपलाइन बिछाने के लिए आक्षेप, सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और वेवभाग प्रभाग, मकरपुरा रोड, बडीदा-9 की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कबन करेगा कि क्या यह चाहता है कि उसको सुनवाई व्यक्तिगत रूप से हो या किन्हीं विधि व्यवसायों के माफ़ेन।

अनुसूची

चांदखेड़ा से रिलायन्स इंडस्ट्रीज तक वाइपलाइन बिछाने के लिए।
राज्य - गुजरात जिला - तालुका - गांधीनगर

गांव	ब्लॉक नं.	हेक्टेयर	घोरे	सेन्टीयर
1	2	3	4	5
बलाद	120	0	01	40
	119/1	0	03	00
		0	31	40
		0	00	80

[सं. ओ - 11027/156/88 - ओ एन ओ/डी III]

S.O. 2831.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Chand Kheda to Reliance Ind. in Gujarat State pipeline should be paid by the Oil and Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil and Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodara. (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Chandkheda to Reliance Ind.
State : Gujarat District & Taluka : Gandhinagar

Village	Block No.	Hectare	Are	Centiare
1	2	3	4	5
Valad	120	0	01	40
	119/1	0	03	00
	119/2	0	31	40
	Cart track	0	00	80

1	2	3	4	5
	113	0	00	30
	124	0	42	40
	125	0	22	40
	109/2	0	27	40
	109/3	0	25	10
	Cart track	0	03	40
	135/1	0	12	80
	135/2	0	12	40
	138	0	20	40
	140	0	26	10
	141/2	0	12	80
	141/1	0	00	40
	143/2	0	00	88
	142	0	18	52
	148	0	19	80
	150	0	24	40
	152	0	12	20
	154	0	09	20
	157	0	13	50

[No. O-11027/158/88-ONG/D-III]

का. सा. 2832—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोक-हित में यह आवश्यक है कि गुजरात राज में परवाजन-1 से दहेज डब्ल्यू. एच. आई. तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी जगहों को बिछाने के प्रयोजन के लिए एतदुपायधन अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा (1) प्रयत्न शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप, सख्त प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ौदा-9 को इस अधिमूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत।

अनुसूची

परवाजन-1 से दहेज डब्ल्यू. एच. आई. तक पाइपलाइन बिछाने के लिए।

राज्य - गुजरात, जिला - भावरुच तालुका - वाग्रा

गांव	ब्लॉक नं.	हेक्टेयर	आरे.	सेन्टीयर
1	2	3	4	5
कोलियाद	161	0	16	90
	163	0	32	50
	156	0	08	45

[सं. ओ - 11027/167/88 - ओ एन जो/डा III]

S.O. 2832.—Whereas it appear to the Central Government that it is necessary in the public interest that for the transport of petroleum from Pakhajan-1 to Dahej WHI in Gujarat State Pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto:—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil and Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodra-390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Pakhajan 1 to Dahej WHI

State : Gujarat Dist: Bharuch Taluka : Wagra

Village	Block No.	He- tare	Are	Centi- are
Koliyad	161	0	16	90
	163	0	32	50
	156	0	08	45

[No. O-11027/167/88-ONG/D-III]

नई दिल्ली, 6 सितम्बर, 1988

का. सा. 2833.—यतः केन्द्रीय सरकार का यह प्रतीत होता है कि लोक-हित में यह आवश्यक है कि गुजरात राज्य में बार्दोदा से रियावत डब्ल्यू. एच. आई. तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी जगहों को बिछाने के प्रयोजन के लिए एतदुपायधन अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा (1) प्रयत्न शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप, सख्त प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ौदा-9 को इस अधिमूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत।

अनुसूची

चांदखेडा से रिलायंस इंडस्ट्रीज तक पाइपलाइन बिछाने के लिए ।
राज्य - गुजरात जिला व तालुका - गंधीनगर

गांव	ब्लॉक नं.	हेक्टेयर	घारे.	सेन्टीयर
1	2	3	4	5
हंसपुरा	14	0	08	20
	15	0	34	80
	19	0	22	00
	20	0	20	00
	21	0	15	60
	22	0	42	60
	41	0	10	40
	23	0	09	40

[सं. ओ - 11027/153/88 - ओ एन जी/बो III]

New Delhi, the 6th September, 1988

S.O. 2833.—Whereas it appear to the Central Government that it is necessary in the public interest that for the transport of petroleum from Chand Kheda to Reliance Ind. in Gujarat State pipeline should be laid by the Oil and Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil and Natural Gas Commission, Construction and Maintenance Division, Makarpur Road, Vadodara. (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Chandkheda to Reliance Ind.

State : Gujarat District & Taluka : Gandhinagar

Village	Block No.	He- tare	Are	Centi- are
1	2	3	4	5
Hanspur	14	0	08	20
	15	0	34	80
	19	0	22	00
	20	0	20	00
	21	0	15	60
	22	0	42	60
	41	0	10	40
	23	0	09	40

[No. O-11027/153/88-ONG/D-III]

का. भा. 2834.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में चांदखेडा से रिलायंस इंडस्ट्रीज तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस प्रयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसा चाहनी को बिछाने के प्रयोजन के लिये एन.ए.ए. अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हेतु केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एन.ए.ए. द्वारा घोषित किया है।

घराने कि उक्त भूमि में द्विवचन कोई व्यक्ति, उस भूमि के लोके पाइपलाइन बिछाने के लिए शर्तों, सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस प्रयोग निर्माण और देखभाल प्रभाग, मकरपुरा, रोड, वडोदा-9 को इस अधिनियम की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आशय करनेवाला हर व्यक्ति विनिर्दिष्ट: यह भी बताना करेगा कि क्या यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत।

अनुसूची

चांदखेडा से रिलायंस इंडस्ट्रीज तक पाइपलाइन बिछाने के लिए।

राज्य: गुजरात	जिला व तालुका: गंधीनगर	गांव	ब्लॉक नं.	हेक्टेयर	घारे.	सेन्टीयर
		रतानन	28	0	46	00
			29	0	40	75
			23	0	73	30
			22	0	09	60
			17	0	66	40
			18	0	00	30
			19	0	21	70
		कटि देवा	0	02	40	
			131	0	04	41
			128	0	20	72
			130	0	18	63
			129	0	18	09
			125	0	33	60

[सं. ओ-11027/154/88-ओ एन जी/बो III]

S.O. 2834.—Whereas it appear to the Central Government that it is necessary in the public interest that for the transport of petroleum from Chand Kheda to Reliance Ind. in Gujarat State pipeline should be laid by the Oil and Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent

Authority, Oil and Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodara. (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Chandkheda to Reliance Ind.

State : Gujarat District & Taluka : Gandhinagar

Village	Block No.	Hec-tare	Are	Centiare
Rauasan	28	0	46	00
	29	0	40	75
	23	0	73	30
	22	0	09	60
	17	0	06	40
	18	0	00	30
	19	0	21	70
	Cart track	0	02	40
	131	0	04	41
	128	0	20	72
	130	0	18	63
	129	0	18	09
	125	0	33	60

[N. O-11027/154/88-ONG/D. III]

का. प्रा. 2835.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि सोमहित में यह आवश्यक है कि गुजरात राज्य में चांदखेड़ा से रिलायन्स इन्डस्ट्रीज तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस प्रायोग द्वारा बिछाई जानी चाहिए।

और या. यह प्रतीत होता है कि ऐसी जगहों को बिछाने के प्रयोजन के लिये एनडुपबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अम पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने इसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उक्त भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप, राक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस प्रायोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ीवा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी समझ करेगा कि क्या यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी त्रिभि अध्यक्षीय की कत।

अनुसूची

चांदखेड़ा से रिलायन्स इन्डस्ट्रीज तक पाइपलाइन बिछाने के लिए

राज्य : गुजरात	जिला व तालुका :	गांधी नगर			
गांव	ब्लॉक नं.	हेक्टेयर	घार.	सेन्टीयर	
संभल	118/5	0	01	87	
	119/1	0	06	00	
	119/2	0	07	00	
	119/3	0	06	00	
	119/4	0	01	10	
	120/1	0	00	20	
	120/2	0	26	40	
	122	0	24	00	
	128	0	04	60	
	131	0	04	20	
	130/1	0	23	00	
	138	0	04	2	
	139	0	35	60	

[नं. ओ-11027/154/88-ओ एन जे/डो-III]

S.O. 2835.—Whereas it appear to the Central Government that it is necessary in the public interest that for the transport of petroleum from Chandkheda to Reliance Ind. in Gujarat State pipeline should be laid by the Oil and Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land the Competent Authority, Oil and Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodara, (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Chandkheda to Reliance Ind.

State : Gujarat District & Taluka : Gandhinagar

Village	Block No.	Hec-tare	Are	Centiare
Zundal	118/5	0	01	87
	119/1	0	06	00
	119/2	0	07	00
	119/3	0	08	00
	119/4	0	01	10
	120/1	0	00	20
	120/2	0	20	40

122	0	24	03
125	0	05	60
131	0	04	20
130/1	0	25	00
138	0	04	20
139	0	35	60

[No. O-11027/157 88-ONG/D-III]

का. मा. 2836.—यतः केन्द्रीय सरकार की यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में चांदखेडा सेरिवायन्स इन्डस्ट्रीज तथा पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जाना चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एन्क्वायिड अनुसूची में वर्णित भूमि में उपयोग का अधिकार अजित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अजित करने का अपना आशय एतद्वारा घोषित किया है।

यद्यपि कि उक्त भूमि में हितवन्त कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप, तबान प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रयोग, मकरपुरा रोड, बड़ौदा-9 का इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत।

अनुसूची

चांदखेडा से रिवायन्स इन्डस्ट्रीज तथा पाइप लाइन बिछाने के लिए।

राज्य : गुजरात	जिला व तालुका : गन्धिनगर	गांव	सर्वे नं.	हेक्टेयर आर.	सेन्टेयर
		तर्नाई	23	0	44 00
			21	0	01 08
			24	0	25 50
		काटे ट्रेक		0	01 20
			25	0	20 70
			17	0	28 00
			16	0	13 00
			15	0	47 20
			9	0	12 00

[सं. मां-11027/159/88-ओ एस जी/ड-III]

S.O. 2836.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Chandkheda to Reliance Ind. in Gujarat State pipeline should be laid by the Oil and Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:—

2304 GI/88—4.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the said land the Competent Authority, Oil and Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodra. (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Chandkheda to Reliance Ind.

State : Gujarat District & Taluka : Gandhinagar

Village	Survey No.	Hec- tare	Are	Cent- tiare
Nabhoj	23	0	44	00
	21	0	01	08
	24	0	25	50
	Cart track	0	01	20
	25	0	20	70
	17	0	28	00
	16	0	13	00
	15	0	47	20
	9	0	12	00

[No. O-11027/159-88 ONG/D-III]

का. मा. 2837.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में लज्जा जी. जी. एनई III से बलोल जं. जी. एस./सी. टी. एफ. तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एन्क्वायिड अनुसूची में वर्णित भूमि में उपयोग का अधिकार अजित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अजित करने का अपना आशय एतद्वारा घोषित किया है।

यद्यपि कि उक्त भूमि में हितवन्त कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप, तबान प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रयोग, मकरपुरा रोड, बड़ौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत।

अनुसूची

SCHEDULE

लनवा जी. जी. एस. III से बलोल जी. जी. एस. एच. सी. टी. एफ. तक पाइप लाइन बिछाने के लिए।

Pipeline from Lanva GGS III to Balol GGS/CTF
State : Gujarat District : Mehsana Taluka : Chansma

राज्य : गुजरात जिला : मेहसाणा तालुका : चानसमा

गांव	गर्व नं.	हेक्टेयर	अक्ष.	सेन्टीयर
ककसावा	205	0	01	50
कार्ट ट्रैक		0	05	50
85		0	21	00
83		0	05	40
87		0	14	80
88		0	22	80
79		0	09	80
78		0	10	00
73		0	12	40
कार्ट ट्रैक		0	05	00
21		0	02	80
35/पी		0	11	60
35/पी		0	09	05
34		0	01	68
36		0	19	40
37/पी		0	14	50
38/पी		0	16	20
41/पी		0	15	00
43		0	14	00
44		0	07	20
45		0	00	42
46		0	25	00

Village	Survey No.	Hee- tare	Are	Centi- tare
Kakasana	205	0	01	50
Cart track		0	05	50
85		0	21	00
83		0	05	40
87		0	14	80
88		0	22	80
79		0	09	80
78		0	10	00
73		0	12	40
Cart track		0	05	00
21		0	02	80
35/P		0	11	60
35/P		0	09	05
34		0	01	68
36		0	19	40
37/P		0	14	50
38/P		0	16	20
41/P		0	15	00
43		0	14	00
44		0	07	20
45		0	00	42
46		0	25	00

[सं. ओ-11027/160/88-ओ एन जी/डी-III]

[No.O-11027/160/88-ONG/D-III]

नई दिल्ली, 7 सितम्बर, 1988

S.O. 2837.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Lanva GGS III to Balol GGS/CTF in Gujarat State pipeline should be laid by the Oil and Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the said land to the Competent Authority, Oil and Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodara. (390069).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

का. आ. 2838.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में लनवा जी. जी. एस. III से बलोल जी. जी. एस./सी.टी.एफ. तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तैयार तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी जायित।

और यतः यह प्रतीत होता है कि ऐसा लाइनों का बिछाने के प्रयोजन के लिये एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करके हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वर्णित कि उक्त भूमि में हितवादी कोई व्यक्ति, उस भूमि के तहत पाइपलाइन बिछाने के लिए, आक्षेप, मक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और रखरखाव प्रभाग, मकरपुरा रोड, बड़ौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करनेवाला हर व्यक्ति विनिश्चित यह भी कथन करेगा कि क्या यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के माफिक।

अनुसूची

जनश्री जी. जी. एस. III से बलोल जी. जी. एस. एम्. सी. टी.
एक. नव पाश्चिमी दिशा के लिए।

राज्य : गुजरात जिला : तालुका : मेहसाणा

गांव	सर्वे नं.	हेक्टेयर	आर	सेन्टीयर
1	2	3	4	5
देवीनापुरा	443	0	16	30
कार्ट ट्रैक		0	05	00
444/पी		0	08	00
445/पी		0	00	05
कार्ट ट्रैक		0	03	50
391		0	00	20
390		0	14	70
कार्ट ट्रैक		0	02	40
447		0	06	40
449/पी		0	02	49
450		0	08	00
451/पी		0	16	00
453/पी		0	11	50
363/1		0	11	30
363/2		0	02	00
363/3		0	09	00
361/1		0	13	00
358		0	27	20
कार्ट ट्रैक		0	01	40
357		0	08	30
336/पी		0	08	00
337		0	10	00
338		0	08	00
335		0	08	40
325/पी		0	12	80
323/पी		0	09	50
324		0	10	00
323		0	12	00
318		0	11	30
319		0	20	00
313		0	16	80
कार्ट ट्रैक		0	03	00
312		0	05	40
311/1		0	02	65
311/2		0	04	90
310		0	10	40
308/पी		0	12	00
308/पी		0	12	55
307/1		0	01	50

[सं. अ-1027/166/83 अ. एन. जी. रो-11]

New Delhi, the 7th September, 1988

S.O. 2838.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Lanva GGS III to Balol GGS/CTF in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto :

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the said land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara. (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Lanva GGS III to Balol GGS/CTF.
State : Gujarat District & Taluka : Mehsana

Village	Survey No.	Hec- tare	Ac- re	Centi- are
Devinapura	443	0	16	30
	Cart track	0	05	00
	444/P	0	08	00
	445/P	0	00	05
	Cart track	0	03	50
	391	0	00	20
	390	0	14	70
	Cart track	0	02	40
	447	0	06	40
	449/P	0	02	49
	450	0	08	00
	451/P	0	16	00
	453/P	0	11	50
	363/1	0	11	30
	363/2	0	02	00
	363/3	0	09	00
	361/1	0	13	00
	358	0	27	20
	Cart track	0	01	40
	357	0	08	30
	336/P	0	08	00
	337	0	10	00
	338	0	08	00
	335	0	08	40
	325/P	0	12	80
	325/P	0	09	50
	324	0	10	00
	323	0	12	00
	318	0	11	30
	319	0	20	00
	313	0	16	80
	Cart track	0	03	00
	312	0	05	40
	311/1	0	02	65
	311/2	0	04	90
	310	0	10	40
	308/पी	0	12	00
	308/पी	0	12	55
	307/1	0	01	50

1	2	3	4	5
	310	0	10	49
	308/P	0	12	00
	308/P	0	12	55
	307/I	0	01	50

[No. O-11027/166/88-ONG/D-III]

ग.आ. 2839.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में चांदखेड़ा से रिलायन्स इंडस्ट्रीज तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आग्रह एतद्वारा घोषित किया है।

अतः कि उक्त भूमि में हितवद् कोई व्यक्ति, उस भूमि के लिये पाइप लाइन बिछाने के लिए आक्षेप, सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत।

अनुसूची

चांदखेड़ा से रिलायन्स इंडस्ट्रीज तक पाइप लाइन बिछाने के लिए
राज्य : गुजरात जिला व तालुका : गांधीनगर

ग्राम	प्लॉट नं.	हेक्टर	आर	सेंटियर
अमीयापुर	फर्ट ट्रैक	0	00	80
	85	0	19	00
	87/2	0	16	40
	83	0	15	00
	89	0	02	70
	80/1	0	10	00
	80/2	0	10	50
	80/3	0	01	50
	98/1	0	17	00
	99/2	0	19	40
	100	0	02	40

[सं. ओ. 11027/161/88-ओ एन/जी/डी III]

S.O. 2839.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Chand Kheda to Reliance Indl. in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto :

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the said land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra. (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Chandkheda to Reliance Indl.

State : Gujarat District & Taluka : Gandhinagar

Village	Block No.	Hec- tare	Ac- re	Centi- tiare
Amiyapur	Cart track	0	00	80
	85	0	19	00
	87/2	0	16	40
	83	0	15	00
	89	0	02	70
	80/1	0	10	00
	80/2	0	10	50
	80/3	0	01	50
	99/1	0	17	00
	99/2	0	19	40
	100	0	02	40

[No. O-11027/161/88-ONG/D-III]

ग.आ. 2840.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में अमीयापुर, जी.ओ.एन. III से बलौल जी.जी.एस./सी.टी.एफ. तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आग्रह एतद्वारा घोषित किया है।

अतः कि उक्त भूमि में हितवद् कोई व्यक्ति, उस भूमि के लिये पाइप लाइन बिछाने के लिए आक्षेप, सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत।

अनुसूची

SCHEDULE

नक्शा जी. जी.एस. III से बलोल जी.जी.एस. एवं सी.टी.एक.
तक पार्श्व लाइन बिछाने के लिए

Pipeline from Lanva GGS III to Balol GGS/CTF
State : Gujarat District : Mhasana Taluka : Chanasma

राज्य : गुजरात	जिला : मेहसाना	तालुका : चाबसमा
गाँव	सर्वे नं.	हेक्टेयर भार. सेंकटीयर
कनोदा	172	0 02 00
	173	0 14 25
	174	0 28 50
	कार्ट ट्रैक	0 08 30
	208	0 24 00
	कार्ट ट्रैक	0 04 40
	251	0 14 20
	249	0 26 30
	248	0 00 25
	247	0 19 00
	246	0 16 70
	कार्ट ट्रैक	0 02 70
	277	0 07 70
	278	0 17 30
	283	0 15 50
	284	0 29 30
	290	5 17 25
	291	0 21 15
	293	0 04 40
	75	0 06 00

[सं. ओ.-11027/162/88-ओ एन जी/डी-III]

Village	Survey No.	Hec-tare	Are	Centiare
Kanoda	172	0	02	00
	173	0	14	25
	174	0	28	50
	Cart track	0	08	30
	208	0	24	00
	Cart track	0	04	40
	251	0	14	20
	249	0	26	30
	248	0	00	25
	247	0	19	00
	246	0	16	70
	Cart track	0	02	70
	277	0	07	70
	278	0	17	30
	283	0	15	50
	284	0	29	30
	290	0	17	25
	291	0	21	15
	293	0	04	40
	75	0	06	00

[No. O-11027/162/88-ONG/D-III]

S.O. 2840.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Lanva GGS III to Balol CTF in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto :

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the said land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara. (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

का.भा. 2841.—यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में लानवा जी.जी.एस. III से बलोल जी.जी.एस./सी.टी. एक तक पेट्रोलियम के परिवहन के लिये पार्श्वलाइन तैय्य तथा प्राकृतिक गैस आयोग द्वारा बिछाई जाना चाहिए।

और यद्यः यह प्रतीत होता है कि ऐसी ज़मीनों को बिछाने के प्रयोजन के लिये एतदावश्यक अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः पेट्रोलियम और खनिज पार्श्वलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का प्रस्ताव आयाय एतद्वारा घोषित किया है।

अतः कि उक्त भूमि में हिजबत कोई व्यक्ति, उस भूमि के नीचे पार्श्व लाइन बिछाने के लिए आक्षेप, सहाय प्रतिकार, तैय्य तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, वडोदा-9 की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करनेवाला हर व्यक्ति धित्विधतः यह भी कथन करेगा कि क्या यह वांछित है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत।

घनसूची

लववा जी.जी.एस. III से बलोल जी.जी.एस. एम्.सी.टी.एफ तक
राष्ट्र लाइन बिछाने के लिए ।

राज्य : गुजरात

जिला व तालुका : मेहसाणा

श्राव	सर्वे न.	हेक्टेयर	आर	सेंटीयर
1	2	3	4	5
मीठा	635	0	04	20
	634	0	15	20
	641/2	0	14	00
	641/1	0	08	80
	641/3	0	04	75
	कार्ट ट्रैक	0	01	30
	599/2	0	11	80
	599/1	0	13	00
	598	0	10	30
	597	0	21	10
	591	0	00	10
	596	0	14	50
	592/1	0	00	50
	593	0	19	00
	कार्ट ट्रैक	0	02	20
	494/2	0	21	00
	494/1	0	07	00
	486	0	01	00
	487/1	0	17	80
	487/2	0	07	75
	478	0	05	00
	488	0	10	70
	477/2	0	12	00
	477/1	0	05	20
	480	0	01	60
	476	0	07	60
	473/1	0	05	30
	473/2	0	06	70
	472	0	08	00
	471	0	07	00
	470	0	05	00
	469	0	07	80
	कार्ट ट्रैक	0	01	20
	461	0	10	00
	462	0	14	00
	434	0	12	00
	429/1	0	05	60
	427	0	14	00
	428	0	10	00
	426	0	14	40

[सं. ओ.-11027/163/88-ओ.एन.जी./डी III]

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto :

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the said land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara. (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Lanva GGS III to Balol GGS/CTF.

State : Gujarat District & Taluka : Mehsana

Village	Survey No.	Hectare	Are	Centiare
1	2	3	4	5
Mitha	635	0	04	20
	634	0	15	20
	641/2	0	14	00
	641/1	0	08	80
	641/3	0	04	75
	Cart track	0	01	30
	599/2	0	11	80
	599/1	0	13	00
	598	0	10	30
	597	0	21	10
	591	0	00	10
	596	0	14	50
	592/1	0	00	50
	593	0	19	00
	Cart track	0	02	20
	494/2	0	21	00
	494/1	0	07	00
	486	0	01	00
	487/1	0	17	80
	487/2	0	07	75
	478	0	05	00
	488	0	10	70
	477/2	0	12	00
	477/1	0	05	20
	480	0	01	60
	476	0	07	60
	473/1	0	05	30
	473/2	0	06	70
	472	0	08	00
	471	0	07	00
	470	0	05	00
	479	0	07	80
	470	0	05	00

S.O. 2841.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Lanva GGS III to Balol GGS/CTF in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

1	2	3	4	5
	469	0	07	80
	Cart track	0	01	20
	461	0	10	00
	462	0	14	00
	434	0	12	00
	429/1	0	05	60
	427	0	14	00
	428	0	10	00
	426	0	14	40

[No. O-11027/163/88-ONG/D-III]

का.मा. 2842.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में लनवा जी.जी.एस. III से बालोल जी.जी.एस./सी.टी.एफ. तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तैय तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदावधि अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा (1) प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आग्रह एतद्वारा घोषित किया है।

बगलें कि उक्त भूमि में विस्तृत कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप, सख्त प्राधिकारी, तैय तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोबरा-9 को इस अधिनियम की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी-कथन करेगा कि क्या यह चाहता है कि उसकी मुतवादी व्यक्तिगत रूप से हो या किसी विधि व्यवसायी को मार्फत।

अनुसूची

लनवा जी.जी.एस. III से बालोल जी.जी.एस. एवं सी.टी.एफ. तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात

जिला व तालुका : मेहसाणा

गांव	सर्वे. नं.	हेक्टेयर	घार.	सेंटीयर
गमानपुरा	616	0	02	00
	621	0	19	75
	622	0	19	00
	639	0	05	75
	638	0	13	80
	641/1	0	08	00
	643	0	06	00
	644	0	04	00
	646	0	05	00
	648	0	05	00
	649	0	12	60
	650	0	11	50

1	2	3	4	5
	654	0	01	50
	कार्ट ट्रैक	0	01	20
	653	0	13	50
	681	0	12	00
	682	0	00	50
	कार्ट ट्रैक	0	01	00

[सं. ओ. 11027/164/88-ओ.एन.जी.सी./III]

S.O. 2842.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Lanva GGS III to Balol GGS/CTF in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the said land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara. (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Lanva GGS III to Balol GGS/CTF
State : Gujarat District & Taluka : Mehsana

Village	Survey No.	Hec- tare	Are	Centi- tiare
Gamanpura	616	0	02	00
	621	0	19	75
	622	0	19	00
	639	0	05	75
	638	0	13	80
	641/1	0	08	00
	643	0	06	00
	644	0	04	00
	646	0	05	00
	648	0	05	00
	649	0	12	60
	650	0	11	50
	654	0	01	50
	Cart track	0	01	20
	653	0	13	50
	681	0	12	00
	682	0	00	50
	Cart track	0	01	00

[No. O-11027/164/88-ONG/D-III]

का.पा. 2843.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में पत्रा. जो.जी.एम. III से बलोल जी.जी.एस./सो.टी.एक. तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा विज्ञापित जमीन प्राप्त हो।

और यतः यह प्रतीत होता है कि ऐसी जगहों को विशेष रूप से तेल तथा प्राकृतिक गैस के लिये एनर्जाइज अनुसूची में वर्णित भूमि में उपयोग का अधिकार प्रदान करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार को उक्त उपयोग का अधिकार प्रदान करने का अन्तर्गत आदेश प्रस्तावित किया है।

यहाँ कि उक्त भूमि में हितवादी कोई व्यक्ति, उक्त भूमि के नीचे पाइपलाइन बिछाने के लिए आशेष, सभ्य प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाव, मकरपुरा रोड, बड़ोदा-9 को इस अधिनियम की तारीख से 21 दिनों के भीतर कर सकेंगे।

और ऐसा आदेश करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी स्पष्ट करेगा कि क्या यह चाहिए है कि उक्त की सुनवाई प्रतिष्ठित का ये हो या किसी विधि व्यवसायी के माफ़त।

अनुसूची:

लनवा जी.जी.एम. III से बलोल जी.जी.एस. एवं सो.टी.एक. तक पाइप लाइन बिछाने के लिए।

राज्य : गुजरात जिला : मेहसाना तालुका : चानसमा

गाँव	सर्वे नं.	हेक्टेयर आर.	सेंटीयर	
1	2	3	4	5
मोटप	256	0	12	30
	234	0	04	20
	233/3	0	06	30
	233/2	0	12	25
	231	0	11	80
	229/पी	0	17	10
	229/पी	0	15	90
	कार्ट ट्रैक	0	01	40
	220	0	21	00
	217	0	15	90
	216	0	14	90
	कार्ट ट्रैक	0	01	20
	213/2	0	10	99
	214	0	01	12
	211	0	03	60
	210/पी	0	12	96
	कार्ट ट्रैक	0	01	40
	209	0	23	80
	176/2	0	17	75
	178/पी	0	11	80
	178/पी	0	12	90
	182/पी	0	08	55
	182/पी	0	07	87
	166	0	07	40

1	2	3	4	5
	कार्ट ट्रैक	0	09	30
	150	0	09	12
	151	0	16	10
	154	0	16	80
	153	0	05	55
	158	0	12	60
	157	0	12	80
	124	0	05	00
	123	0	18	60
	120	0	17	50

[सं. जो. 11027/165/88—ओ एन.जी./को III]

के. बिबेकानन्द, सहाय अधिकारी

S.O. 2843.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Lanva GGS III to Balol GGS/CTF in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the said land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara. (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Lanva GGS III to Balol GGS/CTF.

State : Gujarat District : Mehsana Taluka: Chanasma

Village	Survey No.	Hec-tare	Are	Centiare
1	2	3	4	5
Motap	256	0	12	30
	234	0	04	20
	233/3	0	06	30
	233/2	0	12	25
	231	0	11	80
	229/P	0	17	10
	229/P	0	15	90
	Cart track	0	01	40
	220	0	21	00
	217	0	15	90
	216	0	14	90
	Cart track	0	01	20

नई दिल्ली, 6 सितम्बर, 1988

का. प्रा. 2846.--कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 17 की उपधारा (4) के खण्ड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, श्रम और रोजगार मंत्रालय के का. प्रा. 1054, दिनांक 24 फरवरी, 1986 की भारत सरकार की अधिसूचना द्वारा उक्त अधिनियम की धारा 17 की उपधारा (2क) के अधीन, सैसई सतीजा एग्रो एण्ड एलाईड इन्डस्ट्रीज, जी. टी. रो. (सर्गिन्ड नाईड), मण्डी गोबिन्दगढ़, पंजाब (पी. एन. 8936) को दी गई छूट का तत्काल प्रभाव से रद्द करती है।

[संख्या एस-35014/28/86-एस.एस.-2]

New Delhi, the 6th September, 1988

S.O. 2846.—In exercise of the powers conferred by clause (c) of sub-section (4) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby rescinds with immediate effect the exemption granted to M/s. Satija Agro and Allied Industries, G.T. Road, (Sirhind Side), Mandi Gobindgarh, Punjab (PN/8936) under sub-section (2A) of Section 17 of the said Act by the notification of the Government of India in the Ministry of Labour No. S.O. 1054, dated the 24th February, 1986.

[No. S-35014/28/86-SS-II]

नई दिल्ली, 7 सितम्बर, 1988

का. प्रा. 2847.--केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सरकार एतद्वारा श्री हरिभाउ नायक को श्री जी. वेंकटेश के स्थान पर केन्द्रीय खासी जोई का सदस्य नियुक्त करती है और भारत सरकार के राजपत्र भाग II, खण्ड 3(ii) दिनांक 18 सितम्बर, 1985 में प्रकाशित भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या 677(ई) दिनांक 18 सितम्बर, 1985 में निम्नलिखित संशोधन करती है।

2. उक्त अधिसूचना में कत संख्या 31 के भाग के प्रतिष्ठि के स्थान पर निम्नलिखित प्रतिष्ठि की जायगी :--

"श्री हरिभाउ नायक,
सचिव, एन्टक,
द्वारा राष्ट्रीय मिल मजदूर संघ
जी. डा. अम्बेदकर मार्ग, परेल
बम्बई - 400012।"

[संख्या सी-20012 (1)/88/स. सु.-2]

New Delhi, the 7th September, 1988

S.O. 2847.—In exercise of the powers conferred by sub-section (1) of section 5A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby appoints Shri Haribhau Naik as member of the Central Board of Trustees in place of Shri D. Venkatesh and makes the following amendment in the notification of Government of India in the Ministry of Labour No. S.O. 677(E), dated the 18th September, 1985 published in Part-II, section 3, sub-section (ii) of the Gazette of India extra ordinary dated the 18th September, 1985.

In the said notification, against serial No. 31 and entries relating thereto the following shall be substituted, namely :--

"Shri Haribhau Naik,
Secretary, I.N.T.U.C.,
C/O Rashtriya Mill Mazdoor Sangh,
G.D. Ambédkar Marg, Perel,
Bombay-400012."

[No. V-20012(1)/88-SS-II]

2304 C.I.88-5

का. प्रा. 2848.--कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 18-9-88 को उक्त तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध तमिल नाडु राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे अर्थात् :--
"जिला कमराजार में तालुक सेट्टुर के राजस्व ग्राम तुलुकनकुरिची, अचचंगुलम, पनायिदिपट्टी, कनजामपट्टी, सेवलपट्टी, सोरामपट्टी, वैन्वाकोटाई, विजयकरीनालकुलम और कनगरासेवाल के अन्तर्गत आने वाले क्षेत्र।"

[सं. एस-38013 /31 /88-एस. एस. 1]

S.O. 2848.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 16th September, 1988 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (1) of section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Tamil Nadu, namely :

"Areas comprising of revenue villages Tulukan Kurichchi, Achchangulam, Panaiyadipatti, Kaniampatti, Sevalpatti, Sorampatti Vembakkottai, Vijayakaraisalkulam and Kangaraseval in Sattur Taluk in Kamarajar District".

[No. S-38013/31/88-SS.I]

का. प्रा. 2849.--बिहार राज्य सरकार ने कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा 4 के खण्ड (घ) के अनुसरण में श्री ब्रज भूषण साहय के स्थान पर श्री ए. आर. बान्दीपाध्याय, सचिव, बिहार सरकार को कर्मचारी राज्य बीमा निगम में उस राज्य का प्रतिनिधित्व करने के लिए नामनिर्दिष्ट किया है।

अतः यत्र केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में, भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. प्रा. 545 (घ) दिनांक 25 जुलाई, 1985 में निम्नलिखित संशोधन करती है, अर्थात् :--

उक्त अधिसूचना में "(राज्य सरकार द्वारा धारा 4 के खण्ड (घ) के अधीन नामनिर्दिष्ट)" शीर्षक के नीचे मन्त्र 10 के सामने की प्रतिष्ठि के स्थान पर निम्नलिखित प्रतिष्ठि रकी जायगी, अर्थात् :--

"श्री ए. आर. बान्दीपाध्याय,
सचिव, बिहार सरकार,
श्रम रोजगार मन्त्र
प्रशिक्षण विभाग, पटना।"

[संख्या यू 18012 /5 /87 एस.एस.-1]

S.O. 2849.—Whereas the State Government of Bihar has, in pursuance of clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Sh. A. R. Bandyopadhyay, Secretary, Govt. of Bihar to represent that State on the Employees' State Insurance Corporation, in place of Shri Braj Bhushan Sahay;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour S.O. No. 545(E), dated the 25th July, 1985, namely :--

In the said notification, under the heading "(Nominated by the State Government under clause (d) of section 4)", for the

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध कराये जायेंगे तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध कराये जाने में सुविधा रूप में वृद्धि किये जाने की व्यवस्था करेगा किन्तु कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध कराये उन कर्मचारियों से अधिक अनुकूल हो जो उक्त स्कीम के अधीन अनुमोदित है।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी यदि किसी कर्मचारी की मृत्यु पर उस स्कीम के अधीन गतिमान रकम उस रकम से कम है जो कर्मचारी को उस वक्ता में संदेय होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नाम निर्देशकों को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन प्रादेशिक अधिकारी अधिष्ठाता राजस्थान के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहाँ किसी संशोधन में कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने का संभावना हो, यहाँ प्रादेशिक अधिकारी अधिष्ठाता अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का सुनिश्चित अवसर देगा।

9. यदि किसी कारणवश स्थापन के कर्मचारी भारतीय जीवन बीमा निगम को 'उस सामूहिक बीमा स्कीम के, जिसे स्थापना पहले अपना चुका है' अधीन नहीं रह जाता है या उस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी गति से कम हो जाते हैं, तो यह रद्द की जा सकती है।

10. यदि किसी कारणवश नियोजक उस निगम तारीख के बाद को भारतीय जीवन बीमा निगम चित करे, प्रीमियम का संदाय करने में असफल रहता है और पालिसी को अभाव हो जाने दिया जाता है तो, छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किये गये किसी कार्यक्रम की दशा में उन मृत सदस्यों के नाम निर्देशिकाओं या विधिक वारिसों को जो यदि यह छूट न दी गई होती तो, उक्त स्कीम के अंतर्गत होते बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. उक्त स्थापन के सम्बन्ध में नियोजक उस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उसके हकदार नाम निर्देशिकाओं/विधिक वारिसों को बीमाकृत रकम का संदाय तत्पश्चात् और प्रत्येक वक्ता में भारतीय जीवन बीमा निगम से बीमाकृत रकम प्राप्त होने के एक मास के भीतर सुनिश्चित करेगा।

[एन-35014 (102)/83 ग. सु.-2]

MINISTRY OF LABOUR

New Delhi, the 1st September, 1988

S.O. 2845.—Whereas Messrs Shekhawati Gramin Bank, Bhati Mansion, Bajaj Road, Sikar-332001, Rajasthan (RJ/2596) (hereinafter referred to as the said establishment) have applied for exception under sub-section (2A) of Section 17 of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And therefore, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establish-

ment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Rajasthan and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a), of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payments of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Wherean an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Rajasthan and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this scheme are reduced in any manner the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy allowed to lapse, the exemption shall be liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and in any case within one month from the receipt of the claim complete in all respect.

[No. S-35014(102)/88-SS-II]

1	2	3	4	5
	213/2	0	13	98
	214	0	01	12
	211	0	03	60
	210/P	0	12	96
	Cart track	0	01	40
	209	0	23	80
	176/2	0	17	75
	178/P	0	11	80
	178/P	0	12	90
	182/P	0	08	55
	182/P	0	07	87
	166	0	07	40
	Cart track	0	00	80
	150	0	00	12
	151	0	16	10
	154	0	16	80
	153	0	05	55
	158	0	12	60
	157	0	12	80
	124	0	05	00
	123	0	18	60
	120	0	17	50

[No. O-11027/165/88-ONG/D-III]
K. VIVEKANAND, Desk Officer

जल-भूतल परिवहन मंत्रालय

(परिवहन पत्र)

नई दिल्ली, 12 सितम्बर, 1988

का.प्र. 2844.—गोदी कर्मचारी (रोजगार का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 5क की उपधारा (3) के अनुसरण में केन्द्र सरकार एनवाय सकून गविर (औद्योगिक सम्बन्ध), श्रम विभाग, पश्चिम बंगाल सरकार के स्थान पर डा सविर (औद्योगिक सम्बन्ध), श्रम विभाग, पश्चिम बंगाल सरकार को हरकता डाक वेदर बोर्ड का सबसे नियुक्त करती है और यह निर्णय देती है कि सरकारोंन परिवहन मंत्रालय, जल-भूतल परिवहन विभाग (परिवहन पत्र) भारत सरकार की बिनोक 28 नवम्बर, 1985 की अधिवृत्ता सकरा का.प्र. 862 (प्र) में निर्दिष्टित संगायन कि, जाणे, अर्थात् :—

उक्त अधिवृत्ता में "फेडरल परला: के बोर्डिंग" शब्द के तात्पर्य 3 के सामने "संयुक्त सविर" शब्दों के लिए और "डा सविर" प्रतिस्थापित किए जाएंगे।

[एक सं. एन ओ-11013/13/88-मु. पत्र (एन)]

बी.शंकरलिंगम, निदेशक

MINISTRY OF SURFACE TRANSPORT
(Transport Wing)

New Delhi, 12th September, 1988

S.O. 2844.—In pursuance of sub-section (3) of section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby appoints the Deputy Secretary (Industrial Relations), Labour Department, Government of West Bengal as a member of the Calcutta Dock Labour Board vice the Joint Secretary (Industrial Relations), Labour Department, Government of West Bengal

and directs that the following amendments shall be made in the notification of Government of India in the erstwhile Ministry of Transport, Department of Surface Transport, (Transport Wing), No. S.O. 862(E), dated the 28th November, 1985, namely :—

In the said notification, under the heading "Members representing the Central Government", against item 3, for the words "The Joint Secretary" the words "The Deputy Secretary" shall be substituted.

[F. No. LB-11013/13/88-US(L)]

V. SANKARALINGAM, Director

श्रम मंत्रालय

नई दिल्ली, 1 सितम्बर, 1988

का. प्र. 2845.—नैसर्ग सेवायदा धर्मण बैक, भारी मेशन, यज्ञाज रोड, मीहर-332001 राजस्थान (भार. जे./2596) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) से कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 का 17 (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (3क) के अधीन छूट देने जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पत्रक अधिनियम या प्रोविजम का संदाय किये बिना ही, भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निवेश सहबद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अन्तर्गत उन्हें अनुमति है,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) द्वारा प्रदान शक्तियों का प्रयोग करते हुए और इससे उपायुक्त अनुसूची में निर्दिष्ट शर्तों के प्रदान करने हुए, उक्त स्थापन को तीन वर्षों की अवधि के लिए उक्त स्कीम के समान उपबन्धों के प्रयोग में छूट देती है।

अनुसूची

1. उक्त स्थापन के संघ में नियोजक प्रादेशिक अधिक निधि प्रावधान राजस्थान की सेवा विवरणिका सेवेता और सेवा रक्षणा तथा नियंत्रण के लिए सेवा सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार, समय समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे नियंत्रण प्रमाणों का परीक्षा मास की समाप्ति के 15 दिन के भीतर प्रेषण करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा-17 की उपधारा (3-क) खण्ड-क के अधीन समय समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रमाण में प्रत्येक प्रमाण लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाता, बीमा प्रीमियम का संग्रह, लेखाओं का चलायन, नियंत्रण प्रमाणों, संदाय आदि भा है, होने वाले सभी वर्गों का बहुत निरीक्षक द्वारा दिया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों का एक प्रति और जब कभी उन्हें संशोधन किया जाये, तब उक्त स्थापन का प्रांत तथा कर्मचारियों की बहुमत की भाषा में उक्त स्थापन का अनुवाद स्थापन के सूचना पट्ट पर दर्शित करेगा।

5. यदि कोई सेवा कर्मचारी जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अन्तर्गत छूट प्राप्त किया स्थापन का भविष्य निधि का पत्रक है या नहीं है, उक्त स्थापन में नियोजित किया जाता है तो, नियोजन सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम दर्ज करेगा और उसका आगत आदित्य प्रोविडन भारतीय जीवन बीमा निगम को संदाय करेगा।

entry against Serial Number 10, the following entry shall be substituted, namely:—

“Shri A. R. Bandyopadhyay,
Secretary to the Govt. of Biha.,
Department of Labour, Employment & Training,
Patna.”

[No. U-16012/5/87-SS-I]

का. प्रा. 2850.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 16-9-88 को उग तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध उत्तर प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

“जिला एवं सहायक गाजियाबाद के पगना लोनी के राजस्व ग्राम लोनी एवं धरौटी खुर के अन्तर्गत आने वाले क्षेत्र।”

[सं. एस-38013/32/88 एम. एम.-1]

S.O. 2850.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act 1948 (34 of 1948), the Central Government hereby appoints the 16th September, 1988 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (1) of section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Uttar Pradesh namely:—

“The areas within the limits of Revenue Villages of Loni and Dharauti Khurd in Town Area Loni, Pargana Loni Tehsil and District Ghaziabad”.

[No. S-38013/32/88-SS-I]

नई दिल्ली, 9 सितम्बर, 1988

का. प्रा. 4851.—मेसर्स बनसाइ जिला सहकारी दुध उत्पादक संघ लिमिटेड अलीपुर — 396409, तालुका बिजौरा जिला बनसाइ गुजरात (जीजे/1969) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 17) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिये जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक अधिधाय या प्रीमियम का संदाय किये बिना ही, भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निवेश सहस्र बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुज्ञेय हैं।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 17 की उपधारा 2क द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए और इससे उपायय अनुसूची में विविधित शर्तों के अधीन रहते हुए, उक्त स्थापन की तीन वर्ष की अवधि के लिए उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रादेशिक भविष्य निधि आयुक्त, गुजरात को ऐसी विवरणियाँ भेजना और ऐसे लेखा रखना तथा निरीक्षण के लिए ऐसी सुविधाएँ प्रदान करना जो केन्द्रीय सरकार, समय समय पर निर्दिष्ट करें।

2. नियोजक, ऐसे निरीक्षण प्रसारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा-17 की उपधारा 3-क के अधिनियम के अधीन समय समय पर निर्दिष्ट करें।

3. सामूहिक बीमा स्कीम के प्रवासन में, निम्नलिखित लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय, लेखाओं का अन्तर्गण, निरीक्षण प्रसारों संदाय आदि भी है, होने वाले सभी व्ययों का बहुत नियोजक द्वारा दिया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति श्री जय कर्मा उनमें संशोधन किया जाये, तथा उक्त संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उनकी मुख्य बातों का अनुवाद स्थापन के मुख्या पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी जो कर्मचारी भविष्य निधि या या उक्त अधिनियम के अधीन छूट प्राप्त किया स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके रवाना में नियोजित किया जाता है तो, नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उनका नाम सुन्त दर्ज करेगा और उसकी बाबत अन्तर्गत प्रीमियम भारतीय जीवन बीमा निगम की संदर्भ करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उल्लेख फायदे बढ़ाये जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उल्लेख फायदों में मन्वित रूप से वृद्धि किये जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उल्लेख फायदे उन फायदों से अधिक अनुकूल हो जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किया जात के होते हुए भी यदि किसी कर्मचारी की मृत्यु पर इन स्कीम के अधीन सदस्य रकम उम रकम के कम है जो कर्मचारी को उन वषा में संदेय होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नाम निर्दिष्टों की प्रतिफल के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीमा के उपबन्धों में कोई भी संशोधन प्रादेशिक भविष्य निधि आयुक्त, गुजरात के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहाँ किसी संशोधन के कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना है, वहाँ प्रादेशिक भविष्य निधि आयुक्त अपना अनुमोदन देने में पूर्व कर्मचारियों को अपना वृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश स्थापन के कर्मचारी भारतीय जीवन बीमा निगम की उक्त सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रहा जाता है या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे निम्न सीति से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश निम्नलिखित उस नियत तारीख के भीतर जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संदाय करने में असफल रहता है और पानिसा की व्ययगत हो जाने दिया जाता है तो, छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किये गये किसी व्यक्तिक रूप की वषा में जो जा गहराई के भाग निर्दिष्टियों या विविध वारिसों को जो यदि यह छूट न दी गई होती तो, उक्त स्कीम के अन्तर्गत होते बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. उक्त स्थापन के सम्बन्ध में नियोजक उस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उसके हकदार नाम निर्देशितियों/विधिक वारिसों को बीमाकृत रकम का संदाय तत्परता से और प्रत्येक दशा में भारतीय जीवन बीमा निगम से बीमाकृत रकम प्राप्त होने के एक मास के भीतर सुनिश्चित करेगा।

[सं० एस-35014 (115)/88 स. सु. --2]

New Delhi, the 9th September, 1988

S.O. 2851.—Whereas Messrs Valsad District Cooperative Milk Producers Union Limited, Alipur-396409 Taluka Chikhali District Valsad Gujarat (GJ/9691) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Gujarat and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary a premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Gujarat and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving its approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employee under this scheme are reduced in any manner the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy allowed to lapse, the exemption liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respect.

[No. S-35014(115)/88-SS-II]

का.श. 2852.--मैसर्स गुजरात नर्मदा आर्टो लिमिटेड, रूपनगर 393135 तालुका वालिया जिला भड़ौच (जी. जे 4805 ए) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) से कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 का 17 (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिये जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी प्रथक अभिदाय या प्रीमियम का संदाय किये बिना ही, भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुजेय है,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा 2क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इससे उपाबद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को तीन वर्ष की अवधि के लिए उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रादेशिक भविष्य निधि आयुक्त गुजरात को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएँ प्रदान करेगा जो केन्द्रीय सरकार, समय-समय पर निदिष्ट करें।

2. नियोजक, ऐसे निरीक्षण प्रसारों का प्रत्येक मास की समाप्ति के 15 दिनों के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा 3क के खण्ड-क के अधीन समय-समय पर निदिष्ट करें।

3. समूहिक बीमा स्कीम के माध्यम से निम्नलिखित व्यक्तियों का रक्षा जांच, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संशोधन, निष्ठाओं का अनुमति निरीक्षण प्रकरणों संशोधन प्रदि भी है, होने वाले सभी व्यक्तियों का वही नियोजक द्वारा दिया जाएगा।

4. नियोजन, केन्द्रीय सरकार द्वारा अनुमोदित समूहिक बीमा स्कीम के नियमों की एक प्रति और जब तक कि उनमें संशोधन किया जाये, जब उस संशोधन को प्रति तथा कर्मचारियों को बहुसंख्या की भाषा में उनकी मुख्य बातों का अनुवाद स्थापन के भुक्तान पट्ट पर प्रकाशित करेगा।

5. यदि कोई ऐसा कर्मचारी जो कर्मचारी अधिनियम विधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन को अधिनियम विधि का पहले ही सदस्य है, उसमें स्थापन में नियोजित किया जाता है तो नियोजक समूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम मूलतः दर्ज करेगा और उसकी बाबत आगस्त प्रीमियम भारतीय जीवन बीमा निगम को संवत् करेगा।

6. यदि उक्त स्कीम को अधिनियम कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं, तो नियोजक समूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि किये जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए समूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों जो उक्त स्कीम के अधीन अनुमोदित हैं।

7. समूहिक बीमा स्कीम में किसी बात के होते हुए भी यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संशोधन रकम उस रकम से कम है जो कर्मचारी को उस दशा में संशोधन होता है जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिकारि/नाम निर्देशितों को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संशोधन करेगा।

8. समूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन प्रादेशिक अधिनियम विधि आयुक्त गुजरात के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहाँ किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो, वहाँ प्रादेशिक अधिनियम विधि आयुक्त अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का सुचित युक्त अवसर देगा।

9. यदि किसी कारणवश स्थापन के कर्मचारी भारतीय जीवन बीमा निगम को उस समूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है, नहीं रद्द करना है, तो उस स्कीम के अधीन कर्मचारी को प्राप्त होने वाले फायदे निम्न रीति से कम हो जाते हैं, तो यह रद्द हो जा सकता है।

10. यदि निम्न कारणवश नियोजक उस निम्न निम्नलिखित के भीतर जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संशोधन करने में असमर्थ रहता है और पक्षितों को व्ययगत हो जाने बिना जाता है तो, छूट रद्द हो जा सकती है।

11. नियोजक द्वारा प्रीमियम के संशोधन में किये गये किसी व्यक्तिकर की दशा में उन मूल सदस्यों के नाम निम्नलिखितों या विधिकारियों को जो यदि यह छूट रद्द हो गई होती तो, उक्त स्कीम के प्रयोगी होते। बीमा फायदों के संशोधन का उत्तरदायित्व नियोजक पर होगा।

12. उक्त स्थापन के सम्बन्ध में नियोजक उस स्कीम के अधीन आने वाले किसी स्कीम की मृत्यु होने पर उनके हकशर नाम निर्देशितों/विधिकारियों को योग्यतः रकम का संशोधन तत्पश्चात् से और प्रत्येक दशा में भारतीय जीवन बीमा निगम से योग्यतः रकम प्राप्त होने के एक मास के भीतर सुनिश्चित करेगा।

S.O. 2852.—Whereas Messrs Gujarat Narmada Auto Limited, Roopnagar-393135, Valia District Bharuch (GJ/4805-A) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds & Miscellaneous Provisional Act, 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the power conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Gujarat and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Gujarat and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving its approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this scheme are reduced in any manner the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy allowed to lapse, the exemption liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased member who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respect.

[No. S-35014(109)/88-SS-II]

का. आ. 2853.—मैसर्स श्री राज इन्डस्ट्रीज तजेन्द्र स्टेट के मागने रबिवाल, अहमदाबाद-380023 (जी.जे. 10518) (जिसे इसमें इस के पश्चात् उक्त स्थापन कहा गया है) से कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 का 17 (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा 2 क के अधीन छूट दिये जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया कि उक्त स्थापन के कर्मचारी, किसी पृथक् अधिनियम या प्रीमियम का संदाय किये बिना ही भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निक्षेप सहित बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुज्जेय हैं।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा-2 द्वारा प्रस्तुत शक्तियों का प्रयोग करते हुए और इससे उपायुक्त अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को तीन वर्ष की अवधि के लिए उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रादेशिक भविष्य निधि आयुक्त गुजरात को ऐसी विवरणियाँ भेजना और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएँ प्रदान करेगा जो केन्द्रीय सरकार, समय समय पर पर निदिष्ट करें।

2. नियोजक, ऐसे निरीक्षण प्रमारों का प्रत्येक माह गी समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा-17 की उपधारा 3-क के खण्ड क के अधीन समय पर निदिष्ट करें।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाता, विवरणियों का प्रस्तुत किया जाता, बीमा प्रीमियम का संदाय लेखाओं का अन्तर्गत निरीक्षण प्रमारों संदाय आदि नहीं हैं, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति और जब कभी उनमें संशोधन किया जाये, तब उस संशोधन की प्रति तथा कर्मचारियों को बहुपक्षीय की भाषा में उक्त सूचनाओं का अनुवाद स्थापन के सूचना पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी जो कर्मचारी भविष्य निधि का उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन को भविष्य-

निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजन सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त रद्द करेगा और उसकी वागन आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को संदाय करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि किये जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हो जो उक्त स्कीम के अधीन अनुज्जेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदेय रकम उस रकम से कम है जो कर्मचारी को उस दशा में संदेय होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नाम निर्देशितों को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन प्रादेशिक भविष्य निधि आयुक्त गुजरात के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहाँ किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो, वह प्रादेशिक भविष्य निधि आयुक्त अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश स्थापन के कर्मचारी भारतीय जीवन बीमा निगम को उस सामूहिक बीमा स्कीम को जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाता है। इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह रद्द की जा सकती है।

10. यदि किसी कारणवश नियोजक उस नियत तारीख के भीतर जो भारतीय जीवन निगम नियत करे, प्रीमियम का संदाय करने में असफल रहता है और पालिसी को वगदत हो जाने दिया जाता तो, छूट रद्द की जा सकती है।

3. नियोजक द्वारा प्रीमियम के संदाय में किये गये किसी व्यतिक्रम की दशा में उन नूत सदस्यों के नाम निर्देशितियों या विधिक वारिसों को जो यदि वह छूट न दी गई होती तो, उक्त स्कीम के अन्तर्गत होते बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. उक्त स्थापन के सम्बन्ध में नियोजक उस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उसके हकदार/नाम निर्देशितियों विधिक वारिसों का बीमा कृत रकम का संदाय तत्परता से और प्रत्येक दशा में भारतीय जीवन बीमा निगम से बीमाकृत रकम प्राप्त होने के एक माह के भीतर सुनिश्चित करेगा।

[सं एक 35014(117)/88ससू-2]

S.O. 2853.—Whereas Messrs. Shreeraj Industries, Opposite Tajendra Estate, Rakhial, Ahmedabad-380023 (GJ/10518) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the power conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Gujarat and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Gujarat and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving its approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this scheme are reduced in any manner the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy allowed to lapse, the exemption liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure

prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respect.

[No. S-35014(117)/88-SS-II]

का. आ. 2854.—मैसर्स ड्युरानो प्रोसेस प्राइवेट लिमिटेड, पोस्ट बाक्स नं. 3402, 8 इन्डस्ट्रियल ले आउट, कोरमगला, बंगलूर-560034 (के एन/6156) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) से कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 का 17 (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिये जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक अधिनियम या प्रीमियम का संदाय किये बिना ही, भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम, कहा गया है) के अधीन उन्हें अनुज्ञेय हैं।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा 2क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इससे उपाध्य अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को तीन वर्षों की अवधि के लिए उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रादेशिक भविष्य निधि आयुक्त कार्यालय, बंगलूर को ऐसी विवरणियां भेजेंगे और ऐसे लेखा रखेंगे तथा निरीक्षण के लिए ऐसी सुविधाएँ प्रदान करेंगे जो केन्द्रीय सरकार, समय समय पर निर्दिष्ट करें।

2. नियोजक, ऐसे निरीक्षण प्रसारों का प्रत्येक भाग की समाप्ति के 15 दिन के भीतर संदाय करेंगे जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा 3क के खण्ड-क के अधीन समय समय पर निर्दिष्ट करें।

3. सामूहिक बीमा स्कीम के प्रदायन में जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय, लेखाओं का अन्तरण निरीक्षण प्रसारों संदाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा दिया जाएगा।

4. नियोजन, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति और जब कभी उनमें संशोधन किया जाये, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद स्थापन के मुख्यालय पर प्रदर्शित करेंगे।

5. यदि कोई ऐसी कर्मचारी जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन को भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो, नियोजन सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेंगे और उसकी जीवन आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को संदात करेंगे।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उक्त फायदे बढ़ाये जाते जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि किये जाने का व्यवस्था करेंगे जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. समूहिक बीमा स्कीम में किसी बात के होते हुए भी यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदेय रकम उस रकम से कम है जो कर्मचारी को उस दशा में संदेय होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/तम निर्देशितों को प्रतिफल के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. समूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन प्रादेशिक सचिव्य निधि आयुक्त कर्नाटक, बंगलूर के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहाँ किसी संशोधन से कर्मचारियों के हित में पर प्रतिकूल प्रभाव पड़ने की संभावना हो, वहाँ प्रादेशिक सचिव्य निधि आयुक्त अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश स्थापन के कर्मचारी भारतीय जीवन बीमा निगम को उस समूहिक बीमा स्कीम के जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाता है या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह छूट रह की जा सकती है।

10. यदि किसी कारणवश नियोजक उस नियत तारीख के भीतर जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संदाय करने में असफल रहता है और पालिसी को व्ययक्त हो जाने दिया जाता है तो छूट की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किये गये किसी व्यक्तिकृत की दशा में उक्त मृत सदस्यों के नाम निर्देशितियों या विधिक वारिसों को जो यदि यह छूट न दी गई होती तो, उक्त स्कीम के अन्तर्गत होते। बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. उक्त स्थापन के सम्बन्ध में नियोजक उस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उसके हकदार नाम निर्देशितियों/विधिक वारिसों को बीमाकृत रकम का संदाय तत्परता से और प्रत्येक दशा में भारतीय जीवन बीमा निगम से बीमाकृत रकम प्राप्त होने के एक माह के भीतर सुनिश्चित करेगा।

[सं. एस-35014(108)/88-सं-सु-2]

S.O. 2854.—Whereas Messrs. Durano Progress Private Limited, P.B. No. 3402, 8, Industrial Lay Out, Koramangala, Bangalore-560034 (KN/6156) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Karnataka, Bangalore and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

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2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (JA) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Karnataka, Bangalore and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this scheme are reduced in any manner the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy allowed to lapse, the exemption liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respect.

[No. S-35014(108)/88-SS-II]

का. आ. 2855.—मैसर्स बृन्दावन अलॉयज लिमिटेड, पदिया इन्डस्ट्रियल एरिया, टुमकूर रोड, बंगलूर-560058 (के. एन./6994) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी सचिव्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का संसाधित हो गया है कि उक्त स्थापन के कर्मचारी निम्न पूर्व प्रविधियों या प्रीमियम का सन्दाय निम्न बिना हों, भारतीय जीवन बीमा निगम की जीवन बीमा स्कीम की सामूहिक बीमा स्कीम के अर्थात् जीवन बीमा के रूप में जो फायदा उठा रहे हैं वे ऐसे कर्मचारियों का उन फायदों से अधिक अनुसूचित हैं जो उन्हें कर्मचारियों विशेष महत्व बीमा स्कीम, 1976 (जिसे इनमें इसके पश्चात् उक्त स्कीम कहा गया है) के अर्थात् अनुज्ञेय है ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, और भारत सरकार के अथ मंत्रालय की अधिवृत्तता संख्या का.आ. तारीख के अनुमरण में और इसके उदाहरण अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को, से तीन वर्ष की अवधि के लिए जिसमें . . . भी सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है ।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजन प्रादेशिक अविष्य निधि आयुक्त, कर्नाटक को ऐसी विवरणियाँ भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएँ प्रदान करेगा जो केन्द्रीय सरकार समय-समय पर निर्दिष्ट करे ।

2. नियोजक, ऐसे निरीक्षण प्रसारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर सन्दाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उप-धारा (3क) के खण्ड (क) के अधीन समय-समय पर निर्दिष्ट करे ।

3. सामूहिक बीमा स्कीम के प्रसारण, में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का सन्दाय लेखाओं का अन्तरण, निरीक्षण प्रसारों का सन्दाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा ।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद, स्थापन के मूकना-पट्ट पर प्रदर्शित करेगा ।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी अविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की अविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम सुरक्षित दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को सन्दाय करेगा ।

6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो, नियोजक उक्त स्कीम के अधीन कर्मचारियों की उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिसे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुसूचित हों, जो उक्त स्कीम के अधीन अनुज्ञेय हैं ।

7. सामूहिक बीमा स्कीम में किसी बान के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन सन्दाय रकम उन रकम से कम है जो कर्मचारी को उस वक्त में मरने होना जब वह उक्त स्कीम के पत्रों होता तो, नियोजक कर्मचारियों के विधिक वारिस/नामनिर्देशितों को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का सन्दाय करेगा ।

8. सामूहिक स्कीम के उदाहरणों में कोई भी संशोधन, प्रादेशिक अविष्य निधि आयुक्त, कर्नाटक के पूर्व अनुमोदन के बिना नहीं किया जाएगा और

जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहां, प्रादेशिक अविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का मुक्तिपत्र प्रस्तुत करेगा ।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम, की उक्त सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है, अर्थात् नहीं रह जाते हैं, या उस स्कीम के अधीन कर्मचारियों की प्राप्ति होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह छूट रह की जा सकती है ।

10. यदि किसी कारणवश, नियोजक भारतीय जीवन बीमा निगम द्वारा नियत तारीख के भीतर प्रीमियम का सन्दाय करने में असफल रहता है, और पालिसी को व्ययगत हो जाने दिया जाता है तो छूट रह की जा सकती है ।

11. नियोजक द्वारा प्रीमियम के सन्दाय में किए गए किसी व्यतिक्रम की दशा में, उन मृत सदस्यों के नामनिर्देशितों या विधिक वारिसों को जो यदि यह, छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के सन्दाय का उत्तरदायित्व नियोजक पर होगा ।

12. इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा निगम बीमाकृत राशि के हकदार नामनिर्देशित/विधिक वारिसों को उस राशि का सन्दाय क्षमता से और प्रत्येक दशा में हर प्रकार से पूर्ण दावों की प्रकृति के एक मास के भीतर सुनिश्चित करेगा ।

[सं. एस-35014(110)/88-स.सु.-2]

S.O. 2855.—Whereas Messrs. Brindavan Alloys Limited, Peenya Industrial Area, Tumur, Bangalore-560058 (KN/6994) (hereinafter referred to as the said establishment) have applied for exception under sub-section (2A) of Section 17 of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Karnataka and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charged etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Karnataka and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this scheme are reduced in any manner the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy allowed to lapse, the exemption liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respect.

[No. S-35014(110)/88-SS-II]

का. भा. 2856 --मेमर्स नवता रोड ट्रान्स्पोर्ट बस्टर रोड, विजयवाड़ा 52007 (ए.पी./13624) (जिसे हमने इसके पश्चात् उक्त स्थापन कहा गया है) से कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 17) (जिसे हमने इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिये जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक् अर्थात् या प्रीमियम का संदाय किये बिना ही, भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये

फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारियों को निवेश सहवृद्धि व मा स्कीम, 1976 (जिसे हमने इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुज्ञेय है,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा 2क द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए और इससे उपाय अनुसूची में विनिर्दिष्ट बातों के अधीन रहते हुए, उक्त स्थापन की तीन वर्ष की अवधि के लिए उक्त स्कीम के समस्त उपबन्धों के प्रवर्तन में छूट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रादेशिक भविष्य निधि आयुक्त गुरुद्वारा की ऐसी विवरणियां भूजगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाओं प्रदान करेगा जो केन्द्रीय सरकार, समय समय पर निदिष्ट करें।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा-17 की उपधारा 3-क के खण्ड क के अधीन समय समय पर निदिष्ट करें।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय लेखाओं का अन्तर्गण, निरीक्षण प्रभारों संदाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजन केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति और जब कभी उनमें संशोधन किया जाये, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद स्थापन के सूचना पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजन सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उगई बातों आवश्यक प्रीमियम भारतीय जीवन बीमा निगम की संदाय करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों की उपलब्ध फायदे बढ़ाये जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों की उपलब्ध फायदों में समुचित रूप से वृद्धि किये जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हो जो उक्त स्कीम के अधीन अनुज्ञेय है।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदेय रकम उक्त स्कीम से कम है जो कर्मचारी को उस दशा में संदेय होता जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नाम निर्देशितों की प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन प्रादेशिक भविष्य निधि आयुक्त गुरुद्वारा के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन में कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो, वहां प्रादेशिक भविष्य निधि आयुक्त अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का सुविधायुक्त अवसर देगा।

9. यदि किसी कारणवश स्थापन के कर्मचारी भारतीय जीवन बीमा निगम को उस मासूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है धर्षित नहीं रह जाता है या इस स्कीम के अधीन कर्मचारियों की प्राप्ति होने वाले फायदे किसी गति से कम हो जाते हैं तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश नियोजक उस नियत तारीख के भीतर जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संदाय करने में असफल रहता है और पॉलिसी को वापस हो जाने दिया जाता है तो, छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किये गये किसी व्यक्तिक की दशा में उन मृत सदस्यों के नाम निर्देशितियों या विधिक वारिसों को जो यदि यह छूट न दी गई होती तो, उक्त स्कीम के अन्तर्गत होने। बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. उक्त स्थापन के सम्बन्ध में नियोजक उस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उसके हकदार नाम निर्देशितियों/विधिक वारिसों को बीमाकृत रकम का संदाय तरतरीय से और प्रत्येक दशा में भारतीय जीवन बीमा निगम से बीमाकृत रकम प्राप्त होने के एक मास के भीतर सुनिश्चित करेगा।

[सं एस-35014(112)/88 स.सु. 2]

S. O. 2856.—Whereas Messrs. Navata Road Transport Bandur Road, Vijaywada-520007 (AP/13624) (hereinafter referred to as the said establishment) have applied for exception under sub-section (2A) of Section 17 of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Guntur and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an

establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Guntur and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this scheme are reduced in any manner the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy allowed to lapse, the exemption liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respect.

[No. S-35014(112)/88-SS-II]

का.शा. 2857.—जैसे जयमशमी फाटन एंड ट्रायल प्रोजेक्ट्स प्राइवेट लिमिटेड, पैरकरला, गुंटूर-522009 (एपी/5040) (जिसे हमें इसके पश्चात् उक्त स्थापन कहा गया है) से कर्मचारी इन्सिडर निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 17) (जिसे हमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिये जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक प्रविदाय या प्रीमियम का संदाय किये बिना ही, भारतीय जीवन बीमा निगम की मासूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी विशेष पड़वड बीमा स्कीम, 1976 (जिसे हमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुभूत हैं,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा 2क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इसके उपाय अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन का तीन वर्षों की अवधि के लिए उक्त स्कीम के समान उपबन्धों के प्रभार से छूट देती है।

अनुसूची

- उक्त स्थापन के संबंध में नियोजक प्रादेशिक अविष्य निधि आयुक्त उ.के.का. गुंटूर को ऐसी विवरणियाँ भेजेगा और ऐसे लेखा रखेगा तथा विरोक्षण के लिए ऐसी सुविधायें प्रदान करेगा जो केन्द्रीय सरकार, तत्पक्ष समय पर निदिष्ट करें।
- नियोजक, ऐसे निरोक्षण प्रसारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा-17 की उपधारा 3-क के अण्डक के अधीन समय-समय पर निदिष्ट करें।
- सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय, लेखाओं का अस्तरण, निरोक्षण प्रसारों का संदाय प्रादि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।
- नियोजक, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति और जब कभी उनमें संशोधन किया जाये, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद स्थापन के सूचना पट्ट पर प्रदर्शित करेगा।
- यदि कोई ऐसा कर्मचारी जो कर्मचारी अविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन का अविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो, नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उनका नाम तुरन्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को संवत्स करेगा।
- यदि उक्त स्कीम के अधीन कर्मचारियों को उपर्युक्त फायदे बढ़ाये जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपर्युक्त फायदों में समुचित रूप से वृद्धि किये जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपर्युक्त फायदे उन फायदों से अधिक अनुकूल हों जो उक्त स्कीम के अधीन अनुव्यय हैं।
- सामूहिक बीमा स्कीम में किसी बात के होते हुए भी यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संवेय रकम उस रकम से कम है जो कर्मचारी को उस दशा में संवेय होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नाम निर्देशिनी को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।
- सामूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन प्रादेशिक अविष्य निधि आयुक्त उ.के.का. गुंटूर के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहाँ किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो, वहाँ प्रादेशिक अविष्य निधि आयुक्त अपने अनुमोदन देने से पूर्व कर्मचारियों को अपना सुविरोक्षण स्पष्ट करने का युक्तिपूर्ण अवसर देगा।
- यदि किसी कारणवश स्थापन के कर्मचारी भारतीय जीवन बीमा निगम को उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले था, तब तक है अधीन नहीं रह जाता है या इस स्कीम के अधीन कर्मचारियों का प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो वह रद्द हो जा सकती है।
- यदि किसी कारणवश नियोजक उस नियम तारोख के भीतर जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संदाय करने में असफल रहता है और पात्रिणी को व्यवगत हो जाने दिया जाता है तो, छूट रद्द की जा सकती है।
- नियोजक द्वारा प्रीमियम के संदाय में किये गये किसी व्यक्तिक

जो यदि वह छूट न दी गई होती तो, उक्त स्कीम के अन्तर्गत होते।
यथा फायदों के संदाय का उत्तरदायित्व निवाराक पर होगा।

12. उक्त स्थापन के सम्बन्ध में नियोजक उन स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उनके वारिस/नाम निर्देशिनी/विधिक वारिसों को बीमाकृत रकम का संदाय तत्परता से और प्रत्येक दशा में भारतीय जीवन बीमा निगम में बीमाकृत रकम प्राप्त होने के एक मास के भीतर सुनिश्चित करेगा।

[सं. एम-35014(118)/88 सं. सु.-2]

S. O. 2857.—Whereas Messrs. Jayalakshmi Cotton and Oil Products Pvt. Ltd., Pacherla, Guntur-522009 (AP/5040) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

- The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, S.R.O. Guntur, and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.
- The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.
- All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.
- The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.
- Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.
- The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, S.R.O. Guntur, and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this scheme are reduced in any manner the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy allowed to lapse, the exemption shall be liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respect.

[No. S-35014(118)/88-SS-II]

का.प्र. 2858 :—मैसर्स भारत इलेक्ट्रॉनिक्स लिमिटेड पो.वा.नं.

26, मछलीपटनम्-521001, आन्ध्र प्रदेश, (ए.पा./110), लक्ष्मीपुरम, गन्तूर-522006 (जिसे इसमें इसके पश्चात् उद्धृत किया गया है) से कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 का 17 (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट विवेचित करने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक् अधिनियम या प्राविधिक का संदाय किये बिना ही, भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए वे फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारियों विशेष सहवृद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुभूत हैं।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा-2क द्वारा प्रवृत्त शक्तियों का प्रयोग करने हुए और इससे उपायार्थ अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को तीन वर्षों का अवधि के लिए उक्त स्कीम के मागो उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रादेशिक भविष्य निधि आयुक्त उ.प्र. कार्यालय गन्तूर को ऐसी विवरणियाँ भेजेगा और ऐसे लेखा रखा तथा निरीक्षण के लिए ऐसी सुविधायें प्रदान करेगा जो केन्द्रीय सरकार समय समय पर निर्दिष्ट करें।

2. नियोजक, ऐसे निरीक्षण प्रसारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की

धारा-17 की उपधारा 3क के खण्डक के अधीन समय समय पर निर्दिष्ट करें।

3. सामूहिक बीमा स्कीम के प्रणामन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय, लेखाओं का अन्तर्गण, निरीक्षण प्रसारों का संदाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजन द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति और जब कभी उक्त संगोपन किया जाये, तब उस संगोपन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद स्थापन के सूचना पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन के भविष्य निधि का पहले ही सदस्य है, उनके स्थापन में नियोजित किया जाता है तो, नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी जायज आवश्यक प्राविधिक भारतीय जीवन बीमा निगम को संबोधित करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों की उपलब्ध फायदे बढ़ाये जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों की उपलब्ध फायदों में समुचित रूप से वृद्धि किये जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों जो उक्त स्कीम के अधीन अनुभूत हैं।

7. सामूहिक बीमा स्कीम में किये जाते हैं तो यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदेय रकम उस रकम से कम है जो कर्मचारी की उस दशा में संदेय होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नाम निर्दिष्टियों की प्रतिकर के रूप में दोनों रकमों के अन्तर के अंतर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपबन्धों में कोई भी संगोपन प्रादेशिक भविष्य निधि आयुक्त उ.प्र. कार्यालय गन्तूर के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहाँ कहीं संगोपन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो, वहाँ प्रादेशिक भविष्य निधि आयुक्त अपना अनुमोदन देने से पूर्व कर्मचारियों की अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश स्थापन के कर्मचारी भारतीय जीवन बीमा निगम को उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है, अन्तर्गत नहीं रह जाते हैं या इस स्कीम के अधीन कर्मचारियों को प्राप्ति होने वाले फायदे किसी रकम से कम हो जाते हैं, तो यह रह की जा सकती है।

10. यदि किसी कारणवश नियोजक उस नियत तारीख के अंतर जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संदाय करने में असफल रहता है और पालिसी को रद्द किया हो जाने दिया जाता है तो, छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के भंडार में किये गये किसी व्ययधन की दशा में उन मूल मन्त्रियों के नाम निर्देशितियों या विधिक वारिसों की जो प्रायः यह छूट न ही गई होती तो, उक्त स्कीम के अन्तर्गत होने, बीमा फायदों के संदाय का अन्तर्गणित्व नियोजक पर होगा।

12. उक्त स्थापन के सम्बन्ध में नियोजक उस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उनके हक्का नाम निर्देशितियों/विधिक वारिसों की बीमाकृत रकम का संदाय तत्परता से और प्रत्येक दशा में भारतीय जीवन बीमा निगम से बीमाकृत रकम प्राप्त होने के एक मास के भीतर सुनिश्चित करेगा।

[सं.एस-35014(113)/88-स.धु.-2]

S.O. 2858.—Whereas Messrs Bharat Electronics Limited, P.B. No. 25, Machilipatnam-621001, Andhra Pradesh, (A) 110) Lakshmiapuram, Guntur (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, S.R.O., Guntur, and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premium, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary a premium respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, S.R.O. Guntur, and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this scheme are reduced in any manner the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy allowed to lapse, the exemption liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respect.

[No. S-35014/(113)/88-SS-II]

का.सा.2859:--मैसर्स भारत इलेक्ट्रॉनिक्स लिमिटेड, मुख्य कार्यालय, सावलीपुरा, मध्य प्रदेश, (एम.पी/4917) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 का 17 (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट विये जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक अभिव्यक्ति या प्रीमियम का संवाय किये बिना ही, भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी विशेष गृहबन्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुभूत है,

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 17 की उपधारा-2क द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए और इससे उचित अनुसूची में निर्दिष्ट जतों के अधीन रहते हुए, उक्त स्थापन को तीन वर्ष की अवधि के लिए उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

प्रस्तुती

1. उक्त स्थापन के संबंध में नियोजक प्रादेशिक भविष्य निधि आयुक्त मध्य प्रदेश को एसो विवरणियों भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएँ प्रदान करेगा जो केन्द्रीय सरकार, समय समय पर निर्दिष्ट करें।

2. नियोजक, ऐसे निरीक्षण प्रसारों का प्रत्येक मास का समाप्ति के 15 दिन के भीतर सदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा-17 की उपधारा 3-क के खण्ड-क के अधीन समय समय पर निर्दिष्ट करें।

3. सामूहिक बीमा स्कीम के प्रवर्तन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संवाय, लेखाओं का अन्तरण, निरीक्षण प्रसारों सदाय आदि भी हैं, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

नियोजक, केन्द्रीय सरकार द्वारा अनुसूचित सामूहिक बीमा स्कीम के नियमों की एक प्रति और तब कब उसमें संशोधन किया जाये, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या का भाग में उसकी मूल्य बातों का अनुवाद स्थापन के सूचना पट्ट पर प्रदर्शित करेगा।

4. यदि कोई ऐसा कर्मचारी जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के मार्गन छूट प्राप्त किसी स्थापन को भविष्य निधि का फायदा है सदस्य है, उनके स्थापन में नियोजित किया जाता है, तो नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम सुरक्षित दर्ज करेगा और उसकी आवश्यक आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को संवत्त करेगा।

SCHEDULE

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाके हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि किये जाने को व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बोनस के होते हुए भी यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदेय रकम उस स्कीम से कम है जो कर्मचारी को उस दशा में संदेय होती जबकि वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नाम निर्देशितों को प्रतिफल के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदेय करेगा।

8. सामूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन प्रादेशिक सचिव्य निधि आयुक्त मध्य प्रदेश के पूर्व अनुमोदन के बिना नहीं दिया जाएगा और जहाँ किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने का संभावना हो, वहाँ प्रादेशिक सचिव्य निधि आयुक्त अपना अनुमोदन देने से पूर्व कर्मचारियों का अपना दृष्टिकोण स्पष्ट करने का सुनिश्चित अवसर देगा।

9. यदि किसी कारणवश स्थापन के कर्मचारी भारतीय जीवन बीमा निगम को उस सामूहिक बीमा स्कीम को जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाता है या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह रद्द की जा सकती है।

10. यदि किसी कारणवश नियोजक उस नियत वार्षिक के भीतर जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संदाय करने में असफल रहता है और पायसी का व्ययगत हो जाये दिया जाता है तो, छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किये गये किसी व्यक्तिकर की वक्सा में उन मृत सदस्यों के नाम निर्देशितियों या विधिक वारिसों को जो यदि यह छूट न दी गई होती तो, उक्त स्कीम के अन्तर्गत हो तो बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. उक्त स्थापन के सम्बन्ध में नियोजक उस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उसके हकदार नाम निर्देशितियों विधिक वारिसों को बीमाकृत रकम का संदाय तत्पश्चात् से और प्रत्येक दशा में भारतीय जीवन बीमा निगम से बीमाकृत रकम प्राप्त होने के एक मास के भीतर सुनिश्चित करेगा।

[सं० एम-35019(116)/88सं० गु.-2]

S. O. 2859.—Whereas Messrs Jhabua Dhar Kshetriya Gramin Bank, Head Office, Jhabua (M.P.) (MP/4817) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Madhya Pradesh and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary a premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Madhya Pradesh and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view,

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this scheme are reduced in any manner the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy allowed to lapse, the exemption liable to be cancelled.

11. In case of default, of any made by the employer in payment of premium the responsibility for payment of insurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respect.

[No. S-35014(116)/88-SS-II]

का.प्र. 2860:—मैसर्स डिटर्जेंट्स इण्डिया लिमिटेड, इन्ड्रियल डेवलपमेंट एरिया, कोडूर-516101 आन्ध्र प्रदेश, (ए.पी./6312) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) से कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, (1952 का 17) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिये जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक अधिधाय या प्रीमियम का संवाय किये बिना ही, भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निक्षेप सहवद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुसूच्य है।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा-2क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इससे उद्भास्य अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को तीन वर्षों की अवधि के लिए उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देने की है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रादेशिक भविष्य निधि आयुक्त, आन्ध्र प्रदेश को ऐसी विवरणियाँ भेजेगा और वे देखे रखेगा तथा निरीक्षण के लिए ऐसी सुविधायें प्रदान करेगा जो केन्द्रीय सरकार, समय समय पर निश्चित करें।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा-17 की उपधारा 3-क के खण्ड-क के अधीन समय समय पर निश्चित करें।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिनके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संवाय, लेखाओं का अन्तरण, निरीक्षण प्रभारों संदाय आदि भी हैं, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजन, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति और जब कभी उन्हें संशोधन किया जावे, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उन की मुख्य बातों का अनुवाद स्थापन के सूचना पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन को भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है, तो, नियोजन सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम गुरुत बर्ण करेगा और उसकी वास्तव आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को भर्त्ता करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपबन्ध फायदे वहाये जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपबन्ध फायदों में सम्मिलित रूप से वृद्धि किये जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपबन्ध फायदे उन फायदों से अधिक अनुकूल हों जो उक्त स्कीम के अधीन अनुसूच्य है।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संवेद्य रकम उस रकम से कम है जो कर्मचारी को उस दशा में संवेद्य होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नाम निर्वाहता को प्रतिकर के रूप में बीमा राशियों के अन्तर्गत के बराबर रकम का संवाय करेगा।

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8. सामूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन प्रादेशिक भविष्य निधि आयुक्त आन्ध्र प्रदेश के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहाँ किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो, वहाँ प्रादेशिक भविष्य निधि आयुक्त अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का व्यक्तिगत अवसर देगा।

9. यदि किसी कारणवश स्थापन के कर्मचारी भारतीय जीवन बीमा निगम को उन सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाता है इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह रह जा सकती है।

10. यदि किसी कारणवश नियोजक उस नियम तारीख के भीतर जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संवाय करने में असफल रहता है और यद्यपि को व्ययगत हो जाने दिया जाता है तो, छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किये गये किसी व्यक्तिगत की दशा में उन मृत सदस्यों के नाम निर्देशितियों या विधिक वारिसों को जो यदि यह छूट न की गई होती तो, उक्त स्कीम के अन्तर्गत होते। बीमा फायदों के संवाय का उत्तरदायित्व नियोजक पर होगा।

12. उक्त स्थापन के सम्बन्ध में नियोजक उस स्कीम के अधीन जाने वाले किसी सदस्य की मृत्यु होने पर उसके हक्दार नाम निर्देशितियों/विधिक वारिसों को बीमाकृत रकम का संवाय हस्तगता से और प्रत्येक दशा में भारतीय जीवन बीमा निगम से बीमाकृत रकम प्राप्त होने के एक मास के भीतर मुनिश्चित करेगा।

[सं. एस-35014(1.1)/88-स.सु. 2]

S.O. 2860.—Whereas Messrs Detergents India Limited, Industrial Development Area, Kodur-516101, Andhra Pradesh (AP/6312) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Andhra Pradesh and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (b) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Andhra Pradesh and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this scheme are reduced in any manner the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy allowed to lapse, the exemption liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respect.

[No. S-35014(111)/88-SS-II]

का. प्र. 2861—मैसर्स मैनफैक्चरिंग कम्पनी प्राइवेट लिमिटेड परंपरा 185 पुनर्मासी हाइरोड मद्रास 600010 (टी. एन./5234) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) से कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 17) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक अधिदाय या प्रीमियम का संदाय किए बिना ही भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उस फायदे से अधिक अनुकूल हैं जो कर्मचारी निवृत्त सहबद्ध बीमा स्कीम

1978 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुज्ञेय है।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 17 की उपधारा 2क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इससे उपबन्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रखते हुए उक्त स्थापन को लोभ बर्ष की अवधि के लिए उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रादेशिक भविष्यनिधि आयुक्त मद्रास को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधायें प्रदान करेगा जो केन्द्रीय सरकार समय समय पर निर्र्दिष्ट करें।

2. नियोजक, ऐसे निरीक्षण प्रभावों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा 3क के खण्ड क के अधीन समय समय पर निर्र्दिष्ट करें।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके सम्बन्ध लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय, लेखाओं की अनुरण, निरीक्षण प्रभावों का संदाय आदि की है, होने वाले सभी व्ययों का वहन नियोजक द्वारा दिया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा अनुपेक्षित सामूहिक बीमा स्कीम के नियमों की एक प्रति और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या का भाग में उसी मुख्य बातों का अनुवाद स्थापन के सूचना पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी जो कर्मचारी भविष्य निधि का उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो, नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम सुरक्षित दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम की संदाय करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों की उपलब्ध फायदे बढ़ाए जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के प्रधान कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि किए जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों जो उक्त स्कीम के अधीन अनुज्ञेय है।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदिय रकम उस कम से कम है जो कर्मचारी की उस वृत्ति में संदिय होती जब वह उक्त स्कीम के अधीन होता तो नियोजक कर्मचारी के विधिक वारिस/नाम निर्देशिता को अधिकार के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन प्रादेशिक भविष्यनिधि आयुक्त मद्रास के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों को हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहां प्रादेशिक भविष्य निधि आयुक्त अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का सुविनयुक्त अवसर देगा।

9. यदि किसी कारणवश स्थापन के कर्मचारी भारतीय जीवन बीमा निगम को उस सामूहिक बीमा स्कीम के जिसे स्थापन पहले जाना चुका है अवधि नहीं रह जाता है या इस स्कीम के अधीन कर्मचारियों की प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं तो यह रद्द की जा सकती है।

10. यदि किसी कारणवश नियोजक उस नियत तारीख के भीतर जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संवाय करने में असफल रहता है और पालिसी की व्यवगत हो जाने दिया जाता है तो एट स्ट्रुट को जा सकती है।

11. नियोजक द्वारा प्रीमियम के संशय में किए गए किसी व्यक्तिकर को दण्ड में उन मृत सदस्यों के नाम निर्देशितियों या विधिक कार्रियों को जो यदि यत्र छूट न हो गई होती तो उक्त स्कीम के अन्तर्गत होते। बीमा फायदों के संवाय का उत्तरदायित्व नियोजक पर होगा।

12. उक्त स्थापन के सम्बन्ध में नियोजक उस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उसके हकदार नाम निर्देशितियों/विधिक कार्रियों को योगाकृत रकम का संवाय तत्पश्चात् से और प्रत्येक दशा में भारतीय जीवन बीमा निगम से योगाकृत रकम प्राप्त होने के एक मास के भीतर सुनिश्चित करेगा।

[सं. एल-35014(114)/88 स. सु. 2]

ए. के. भट्टारार्थ, प्रवर सचिव

S.O. 2861.—Whereas Messrs Maypar Leather Manufacturing Company Private Limited, Parpia House, 185, Poona-mallee High Road, Madras-600010 (TN/5234) (hereinafter referred to as the said establishment) applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Madras and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Madras and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this scheme are reduced in any manner the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy allowed to lapse, the exemption liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respect.

[No. S-35014(114)/88-SS-II]

A. K. BHATTARAI, Under Secy.

नई दिल्ली, 2 सितम्बर, 1988

का. या. 2862—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ने ईस्टर्न कोल फ़िल्ड्स लिमिटेड का मंडामान कोलियरी के प्रबंधन से सम्बंधित नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं. 2), धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-8-88 को प्राप्त हुआ था।

New Delhi the 2nd September, 1988

S.O. 2862.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 2), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the Mandaman Colliery of M/s. Eastern Coalfields Limited and their workman, which was received by the Central Government on the 25th August, 1988.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 166 of 1986

In the matter of an industrial dispute under section 10(1)(d) of the I.D. Act, 1947.

PARTIES :

Employers in relation to the management of Mandaman Colliery of Messrs. Eastern Coalfields Limited and their workmen.

APPEARANCES :

On behalf of the workmen : Shri D. Mukherjee, Secretary, Bihar Colliery Kamgar Union.

On behalf of the employers : Shri R. S. Murthy Advocate.

STATE : Bihar

INDUSTRY : Coal.

AWARD

Dated, Dhanbad, the 18th August, 1988

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012 (322)/85-D.III(A), dated, the 17th April, 1986.

SCHEDULE

"Whether the action of the management of Mandaman Colliery of M/s. Eastern Coalfields Limited, P.O. Nirsha, Distt. Dhanbad in denying Shri Rafi Ahmed Khan, the basic wage at par with Shri Sallaluddin is legal and justified? If not, to what relief the said workman is entitled?"

The case of the workmen is that the concerned workman Shri Rafi Ahmed Khan is working as Electrical Supervisor in Technical and Supervisory Grade-A with effect from 1-7-83 in Mandaman Colliery of M/s. E.C.L. Prior to that the concerned workman was working in Technical and Supervisory Grade-C Shri Sallaluddin was also working in Technical and supervisory Grade-C in Mandaman Colliery along with the concerned workman. Both of them were getting the same basic wage while working in Technical and Supervisory Grade-C. A dispute was raised on behalf of Rafi Ahmed Khan and Sallaluddin which was referred to CGIT No. 1, Dhanbad. The parties filed a settlement before the Tribunal in the said case and as per settlement an Award was passed in favour of the workmen whereby the concerned workman Shri Rafi Ahmed Khan was promoted in Technical and Supervisory Grade-A and Sallaluddin in Technical and Supervisory Grade-B with effect from 1-7-83. After the said promotion/regularisation of the concerned workman as per Award of the Tribunal the management fixed the basic wage of the concerned workman Rafi Ahmed Khan @ Rs. 945 and the basic wage of Sallaluddin was fixed @ Rs. 948/- on 1-7-83. Within 2 months Shri Sallaluddin was promoted again to the higher post of Technical and Supervisory Grade-A and on his promotion his basic wage was fixed @ Rs. 1051 per month with effect from 9-9-83. Shri Sallaluddin is junior to the concerned workman in the Grade of Technical and Supervisory Grade-A. The concerned workman represented before the management several times for fixing his basic wage atleast @ Rs. 948 on 1-7-83 and Rs. 1051 on 9-9-83 but the management did not pay any heed. The action of the management in denying basic wage to the concerned workman at par with Shri Sallaluddin was illegal, arbitrary, unjustified and discriminatory in nature. The action of the management in denying equal pay for equal work and basic wage at par with Shri Sallaluddin was against the principles of natural justice. Seeing no other alternative the union raised an industrial dispute before the AIC (C) Dhanbad. The conciliation proceeding before the AIC (C) ended in failure and on receipt of the failure report the Government of India Ministry of Labour referred the dispute for adjudication to this Tribunal. On the above facts it is prayed that the concerned workman should be given the basic wage at par with Shri Sallaluddin since 1983 and the management should be directed to pay the difference of wages since 1-7-83.

The case of the management is that the workman is legally estopped from raising any dispute in the case of the concerned workman in view of the fact that his case stood already settled by an Award even by CGIT No. 1, Dhanbad in Reference No. 41/82. The demand of the workman is contrary to the provision of NCWA II and III. Previously S/Shri Rafi Ahmed Khan and Md. Sallaluddin was employed as Asstt. Foreman, Electrical under the management prior to 1-1-83. They were in the Technical and Supervisory Grade-C in the pay scale of Rs. 572-29-804-34-1008 under NCWA-II. Under NCWA-III the pay scale of the post in Technical and Supervisory Grade-C were revised to Rs. 742-40-1062-45-1422 with effect from 1-1-83. The concerned workman and Shri Sallaluddin were in NCWA-III pay scale of Rs. 572-29-804-34-1008 as applicable to Technical and Supervisory Grade-C as on 3-12-82 and

they were drawing a basic pay of Rs. 601/- per month. Their next date of increment was 1-9-83. By the Award of CGIT No. 1, Dhanbad the concerned workman was promoted to the post of Electrical Supervisor in Technical and Supervisory Grade-A and thus secured a double promotion by skipping over the post of Foreman (Electrical). The said benefit was given to the concerned workman with effect from 1-7-83 and his next date of annual increment became 1-7-84 subject to normal rules. By the same Award of CGIT No. 1, Dhanbad Shri Sallaluddin was promoted to the post of Foreman in Technical and Supervisory Grade-B with effect from 1-7-83. The NCWA II pay scale for Technical and Supervisory Grade-B which remained in operation upto 31-12-82 was Rs. 640-35-920-40-1160 and this was revised to the pay scale of Rs. 810-46-1173-51-1586 with effect from 1-1-83 under NCWA-III.

The basic pay of the concerned workman as on 31-12-82 in NCWA-II Technical and Supervisory Grade-C pay scale of Rs. 572-1008/- was Rs. 601/- P.M. In terms of formula laid down by JBCCI the pay of the concerned workman in Technical and Supervisory Grade-C NCWA-III namely Rs. 742-40-1062-45-1422 was fixed @ Rs. 862/- with effect from 1-1-83. The necessary intimation chart in terms of NCWA-III in regard to the fixation of pay of the employees in Coal industry were laid down by the JBCCI and it forms part of printed booklet by JBCCI. As per the decision of JBCCI embodied in implementation instruction No. 23 dated 13-2-86 the pay of the employees on promotion from a lower post to a higher post has to be fixed in accordance with the provision of para-50 of Chapter XII of the report of the Central Wage Board for Coal Industry Vol. I. In accordance with the said decision of JBCCI the pay of the concerned workman was fixed @ Rs. 945 with effect from 1-7-83 and in this process he got a benefit of Rs. 83/- in his pay and next date of increment fell on 1-7-84. The case of the concerned workman was strictly dealt with in accordance with the provisions of NCWA-III and the implementation instruction of JBCCI. The concerned workman therefore cannot have any grievance in regard to the fixation of his pay. Any demand for more wages than what the JBCCI has laid down would be contrary to and in violation of the provision of NCWA-II and III as per para 12.2.1 of NCWA-II and para 12.2.1 of NCWA-III.

Shri Md Sallaluddin was drawing a basic pay of Rs. 601/- on 31-12-82, in Technical and Supervisory Grade-C in NCWA-II (572-1008). His date of next increment was 1-9-83. The revised pay scale under NCWA-III came into force from 1-1-83 in the post of Technical and Supervisory Grade-C increment with the fitment chart laid down by JBCCI under NCWA-III the pay of Shri Md. Sallaluddin was fixed at the stage of Rs. 862/- in the revised Technical and Supervisory Grade-C in the scale of Rs. 742-40-1062-45-1422. The pay scale of Technical and Supervisory Grade-B in NCWA-III is Rs. 810-46-1173-51-1586 with effect from 1-1-83 and Shri Sallaluddin was promoted to the said post with effect from 1-7-83. In the above pay scale of foreman in Technical and Supervisory Grade-B in which Shri Sallaluddin was promoted with effect from 1-7-83 in terms of the Award of CGIT No. 1, Dhanbad his pay was fixed at the stage of Rs. 948/- as per implementation instruction No. 23 dated 13-2-86 of the JBCCI which incorporates provision of para-50 of Chapter XII of the report of the Central Wage Board for Coal Industry. Shri Sallaluddin was again promoted to the post of Foreman Incharge in Technical and Supervisory Grade-A in NCWA-III pay scale of Rs. 892-53-1316-55-1701 from 9-9-83 and in accordance with the instructions of the JBCCI his pay scale was fixed on 9-9-83 at the stage of Rs. 1051/- per month. His date of next increment in Supervisory Grade-A was 9-9-84. The date of next increment of the concerned workman in Technical and Supervisory Grade-A was 1-7-84. In view of the provision of the Award of CGIT No. 1, Dhanbad and this instruction issued by JBCCI, the question of the management fixing the pay of the concerned workman at par with Md. Sallaluddin does not arise and the present reference is misconceived, wholly baseless. On the above facts it is submitted on behalf of the management that the concerned workman is entitled to no relief.

The only question to be decided in this case is whether the basic wage of the concerned workman should be fixed at par with Shri Sallaluddin with effect from 1-7-83.

The management and the workmen have each examined one witness in support of their respective case. The management has produced documents which are marked Ext. M-1 and M-2. No document was exhibited on behalf of the workmen.

Most of the facts in this case are admitted. It is the admitted case of the parties that the concerned workman and Shri Salalludin were both in Technical and Supervisory Grade-C prior to 1-7-83 and both of them were getting the same basic wage of Rs. 601 prior to their promotion to the higher grade with effect from 1-7-83. It is further admitted by the parties that a settlement Award was passed by CGIT No. 1, Dhanbad by which the concerned workman was promoted in Technical and Supervisory Grade-A and Shri Salalludin was promoted in Technical and Supervisory Grade-B with effect from 1-7-83. It will thus appear that the concerned workman was promoted to Technical and Supervisory Grade-A from 1-7-83 and Shri Salalludin was promoted in Technical and Supervisory Grade-B from 1-7-83 and as such their pay scale would be different while being fixed in their proper grades. It is also admitted that Shri Salalludin was again promoted to Technical and Supervisory Grade-A with effect from 9-9-83 and as such his pay was again fixed in Technical and Supervisory Grade-A in NCWA-III scale of pay. Thus it will appear that as the concerned workman got a jump promotion from Technical and Supervisory Grade-C to Technical and Supervisory Grade-A his pay was fixed only once (leaving aside his fitment in the pay scale of NCWA-III). In case of Shri Salalludin as he got promotion from Technical and Supervisory Grade-C to Grade-B and then again from Technical and Supervisory Grade-B to Grade-A his pay was fixed twice in 2 grades on his promotion. Thus we cannot equate the fixation of pay of the concerned workman and Shri Salalludin.

It is admitted case of the parties that the basic pay of the concerned workman and Shri Salalludin was paid in Supervisory and Technical Grade-C of NCWA-II and prior to 1-1-83 they were getting basic pay of Rs. 601 in the pay scale of 572—1008 of NCWA-II. The NCWA-III pay scale came into force from 1-1-83. According to the pay fixation chart of JBCCI under NCWA-III the pay of the concerned workman was fixed at the stage of Rs. 862 in Technical and Supervisory Grade-C in NCWA-III pay scale with effect from 1-1-83. The pay of Shri Salalludin was also fixed at the stage of Rs. 862 per month in NCWA-III pay scale with effect from 1-1-83.

The concerned workman was promoted to Technical and Supervisory Grade-A with effect from 1-7-83 vide the Award passed in Ref. No. 41/82. According to the implementation instruction No. 23 dated 13-2-80 issued by JBCCI Ext. M-1 the pay of the concerned workman as fixed @ Rs. 945 by giving him one increment on the minimum of NCWA-III pay scale of Rs. 892-53-1361-55-1700 with effect from 1-7-83. It will thus appear that the concerned workman was getting Rs. 862 in Grade-C of NCWA-III prior to 1-7-83. He was given promotion vide settlement with effect from 1-7-83 in Technical and Supervisory Grade-A. The scale of pay of Technical and Supervisory Grade-A in NCWA-III is 892-53-1361-55-1700. As the concerned workman was getting Rs. 862 in Grade-C which was less than the starting scale of pay of Technical and Supervisory Grade-A of NCWA-III. His pay was fixed at the minimum scale of pay of Grade-A of NCWA-III @ Rs. 892 and he was further given one increment of Rs. 53 vide para-50 of Chapter XII of Coal Wage Board Report which forms part of the JBCCI instruction No. 23 incorporated in Ext. M-1. Thus the basic pay of the concerned workman appears to have been rightly fixed @ Rs. 945 per month in Technical and Supervisory Grade-A with effect from 1-7-83.

Shri Salalludin was getting Rs. 601 in Technical and Supervisory Grade-C of NCWA-II as on 31-12-82. His pay was fixed in NCWA-III pay scale of Rs. 742-40-1062-45-1422 in Grade-C of NCWA-III with effect from 1-1-83 and his basic pay was fixed at the stage of Rs. 862 per month according to the conversion table published by JBCCI. He was promoted in Technical and Supervisory Grade-B with effect from 1-7-83 by the Award of CGIT No. 1, Dhanbad and the scale of pay of Grade-B in NCWA-III pay scale is Rs. 810-46-1178-51-1586. According to the pay fixation formula as

laid down by JBCCI according to the Implementation instruction Ext. M-1, his pay was fixed at the stage of Rs. 948 per month. This fixation of Rs. 948 per month to Shri Salalludin in NCWA-III grade B was calculated on the basis of the above instruction. In Grade-C Salalludin was getting Rs. 862 which was more than the minimum of scale of pay of Grade-B in NCWA-III which started from 810. As Salalludin was already getting Rs. 862 in Grade-C of NCWA-II on promotion in Technical and Supervisory Grade-B of NCWA-II which came into effect from 1-1-83 his pay was fixed @ Rs. 810 plus 92 (Rs. 46 being the yearly increment) and thus the total came to Rs. 902 which was the next higher stage of pay in Grade-B of NCWA-III above Rs. 862 which Shri Salalludin was getting in Grade-C of NCWA-III prior to 1-7-82. Further Shri Salalludin was given one increment of Rs. 46 on promotion and thus his total basic wage was fixed @ Rs. 948 per month in Technical and Supervisory Grade-B of NCWA-III and there does not appear to be any mistake in fixation of the pay of Shri Salalludin in the pay scale of Grade-B of NCWA-III. It appears that the pay of Salalludin was rightly fixed at Rs. 948 per month from 1-7-83 in Grade-B of NCWA-III.

Shri Salalludin was promoted in Technical and Supervisory Grade-A on 9-9-83. On 9-9-83 Shri Salalludin was getting Rs. 948 per month in Grade-B of NCWA-III. On his promotion in Grade-A on 9-9-83 the salary of Salalludin was fixed @ Rs. 1051 per month. This salary of Shri Salalludin in Grade-A of NCWA-III on 9-9-83 appears to have been correctly fixed by the management. It will appear that Shri Salalludin was getting Rs. 948 prior to his promotion on 9-9-83. This amount of Rs. 948 which Salalludin was getting was more than the minimum of scale of pay of Grade-A in NCWA-III. This salary of Rs. 948 per month to Salalludin will be fixed in the scale of pay of Rs. 892-53-1361-55-1701 at the stage of Rs. 998 in the said scale of Grade-A of NCWA-III. Thus Shri Salalludin got Rs. 892 plus 53 plus 53 equal to Rs. 948 and he further got increment of Rs. 53 as is provided in case of promotion by JBCCI and thus the pay of Shri Salalludin was fixed @ Rs. 1051 per month. The pay @ Rs. 1051 per month in the scale of pay of Grade-B of NCWA-III therefore appears to have been correctly fixed in the case of Salalludin.

I have explained as to how the pay of the concerned workman was fixed on his promotion in Technical and Supervisory Grade-A of NCWA-III from 1-7-83. I have further explained as to how the pay of Shri Salalludin was fixed first in Grade-B of NCWA-III from 1-7-83 and in Grade-A from 9-9-83. There appears to be no mistake in the fixation of salary of the concerned workman in Technical and Supervisory Grade-A from 1-7-83 and the pay of Salalludin in Technical and Supervisory Grade-B from 1-7-83 and in Technical and Supervisory Grade-A from 9-9-83. It is admitted that the concerned workman was senior to Shri Salalludin but it will also appear that the pay scale of the concerned workman and Shri Salalludin was fixed according to the JBCCI instructions and there is no mistake in the fixation of pay of the concerned workman and Shri Salalludin. The workmen claim that the concerned workman should get pay atleast equal to the pay of Shri Salalludin from 1-7-83 on the ground that the concerned workman is senior to Shri Salalludin. There was no circular or rule to the effect that in such case of fixation of pay of workmen a senior must atleast get pay equal to the pay of the junior workman. The situation no doubt presents a case of anomaly because the concerned workman who was senior to Salalludin in Grade-C and also in Grade-A is getting salary less than that of Shri Salalludin who is junior to him but in view of para 12.3.1 of NCWA-III the remedy does not lie before this Tribunal. In para 12.3.1 it is stated "the management of coal companies, on their part will not resort to unilateral interpretation of this agreement. In case of any doubt or difficulty in interpretation or implementation of any clause of this agreement the same shall be referred to settle by JBCCI or a sub-committee constituted by the JBCCI for the purpose in the spirit of mutual goodwill". In the above view of the matter I think the workman have to raise the matter before the JBCCI and the Tribunal cannot give relief sought for by the workmen in this reference.

The workmen have referred para-2 of NCWA-II implementation instruction No. 32 dated 22-6-80 which is as follows:—

"Note containing decisions relating to dates of increment under NCWA-II (Annexure-3-A). It will be seen that this decision will also eliminate anomalies when some of the employees have been pointing out that on account of fixed dates of increment for employees for a certain part of the year the senior would be getting less pay than the juniors in the same cadre."

A reference to this paragraph in implementation instruction No. 32 of JBCCI is in respect of a matter different to the matter with which we are concerned. The said implementation instruction No. 32 relates to anomalies on account of fixed dates of increment for employees due to which the seniors were getting less pay than the juniors in the same cadre. This is not a decision in respect of the fact that when pay has been fixed in accordance with the JBCCI instruction and a senior is getting less than the juniors, the senior must get his pay fixed at least at par with the pay of the junior. Implementation instruction No. 32 therefore does not help up in the present situation involved in this reference and the concerned workman cannot get his pay fixed at par with Shri Salalludin in accordance with the implementation instruction No. 32 of JBCCI. There is no other circular, rule or letter in connection with the above matter and as such I find it difficult to direct the management to fix the pay of the concerned workman at par with the pay of Shri Salalludin. As already stated the workmen must seek his remedy by referring the matter to JBCCI.

In the result I hold that the action of the management of Mandaman Colliery of M/s. Eastern Coalfields Ltd. in denying the concerned workman Shri Rafi Ahmed Khan the basic wage at par with Shri Salalludin is legal and justified and consequently the concerned workman is entitled to no relief.

This is my Award.

[No. L-20012/322/85-D.III(A)/D.IV(A)
I. N. SINHA, Presiding Officer]

का. द्रा. 2863.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारत कोलिय कोल लिमिटेड के प्रबन्धन से सम्बन्धित निोजकों और उनके कर्मचारों के बीच अनुबंध में निषिद्ध औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं. 2) धनबाद के पक्षाद को प्रकाशित करती है जो केन्द्रीय सरकार को 29-8-88 को प्राप्त हुआ था।

S.O. 2863.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 2) Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the Bharat Coking Coal Limited and their workmen, which was received by the Central Government on the 29th August, 1988.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri I. N. Sinha,
Presiding Officer.

Reference No. 110 of 1987

In the matter of an industrial dispute under Section 10(1)(d) of the I.D. Act., 1947.

PARTIES :

Employers in relation to the management of Block II Area of M/s. Bharat Coking Coal Limited and their workmen.

APPEARANCES :

On behalf of the workmen.—Shri I. D. Singh, Branch Secretary, RCMS Union.

On behalf of the employers.—Shri B. Joshi, Advocate.

STATE : Bihar. INDUSTRY : Coal.

Dhanbad, the 22nd August, 1988

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of

the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012 (271)/86/D.III(A), dated, the 24th March, 1987.

SCHEDULE

"Whether the demand of Rashtriya Colliery Mazdoor Sangh that Shri B. P. Jha, Crane Operator, Block II Area of M/s. Bharat Coking Coal Limited should be given Excavation Grade 'D' from 15-7-1981 and Excavation Grade 'B' from December, 1982 is justified? If so, to what relief the workman is entitled?"

In this case the parties did not file their respective W. S. documents etc. But subsequently both the parties appeared before me and filed a Petition of compromise. I heard the parties on the said petition of compromise and I do find that the terms contained therein are very fair, proper and beneficial to both the parties. Accordingly, I accept the said petition of compromise and pass an Award in terms of the Petition of compromise which forms part of the Award as Annexure.

ANNEXURE

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2 AT DHANBAD

Reference No. 1108/7

Notification No. L-20012(271)/85/D. III(A)

Dated 24-3-87

Employers in relation to the management of Block-II. AND Their Workmen

PETITION OF COMPROMISE

1. That the Central Government by notification No. L-20012(271)/86/D.III(A) dated 24-3-87 has been pleased to refer the present case to this Hon'ble Tribunal for adjudication on the issue contained in the schedule of reference which is reproduced below —

SCHEDULE

"Whether the demand of Rashtriya Colliery Mazdoor Sangh that Shri B.P. Jha, Crane Operator, Block-II Area of M/s. Bharat Coking Coal Limited should be given Excavation Grade 'D' from 15-7-1981 and Excavation Grade 'B' from December, 1982 is justified, if so, to what relief the Workman is entitled".

2. That without prejudice to the respective contentions of the parties, the dispute has been amicably settled between the parties on the following terms:—

TERMS OF SETTLEMENT

- That the concerned workman Sri B. P. Jha will be put in Excavation Grade 'B' with effect from May, 1986 and will be appropriately fixed on that grade on 1-5-86.
 - That the concerned workmen's present basic in Excavation Grade "B" will be fixed taking into account his fixation in Grade "B" on 1-5-1986.
 - That the concerned workman and or the union representing him will not claim for difference of wages for the post period. He will start getting wages on the new rate in grade "B" from 1-5-1986.
 - That both parties agree to implement the settlement without any—
3. That in view of the above settlement there remains nothing to be adjudicated.

Under the facts and circumstances stated above the Hon'ble Tribunal will be graciously pleased to accept the settlement as fair and proper and be pleased to pass the Award in terms of the settlement.

For the Workman :

- (B. P. JHA),
Crane Operator.
- (I. D. SINGH,
B. R. Secretary.

For the Employers :

(G. RAI),
General Manager,
Block-II Area,
(M. B. JHA),
Dy. Personnel Manager,
Block-II Area.

Rashtriya Colliery Mazdoor Sangh
Block-II DCP.

I. N. SINHA, Presiding Officer
[No. L-20012/271/86.D.III(A)D.IV(A)]

नई दिल्ली, 7 सितम्बर, 1988

क्रा. प्रा. 2864.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) का धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स भारत कोकिंग कोल लिमिटेड का बरारा क्षेत्र में 1 के प्रचलन से सम्बन्धित नियोजकों और उनके कर्मचारियों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण संख्या 2 धनबाद के पंचाट को प्रकाशित करती है जो केन्द्रीय सरकार की 29-8-88 को प्राप्त गया था।

New Delhi, the 7th September, 1988

S.O. 2864.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the Barora Area No. 1 of M/s. Bharat Coking Coal Limited and their workmen, which was received by the Central Government on the 29th August, 1988.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
(No. 2) AT DHANBAD

Reference No. 49 of 1985

PRESENT:

Shri J. N. Sinha, Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d) of the I.D. Act, 1947

PARTIES:

Employers in relation to the management of Barora
Area No. I of Messrs. Bharat Coking Coal Limited
and their workmen.

APPEARANCES:

On behalf of the workmen.—Shri S. Bose, Secretary, R.C.M.S. Union.

On behalf of the employers—Shri R. S. Murthy, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, the 22nd August, 1988

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. I-20012 (5)/85-D.III(A), dated, the 26th April, 1985.

SCHEDULE

"Whether the demand of Rashtriya Colliery Mazdoor Sangh that the management of Barora Area No. I of Messrs Bharat Coking Coal Limited should regularise Shri Kameshwar Singh as a Peon is justified? If so, to what relief is this workman entitled and from what date?"

In this case both the parties filed their respective W.S. documents etc. At the stage of evidence both the parties appeared before me and filed a Joint Compromise petition. I heard the parties on the said Joint Compromise petition and I do find that the terms contained therein are fair proper and beneficial to both the parties. Accordingly I accept the same and pass an Award in terms of the said Joint Compromise petition which forms part of the Award as Annexure.

Sd/-

I. N. SINHA, Presiding Officer
[No. I-20012/5/85-D.III(A)/D.IV(A)]
K. J. DYVA PRASAD, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER

THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 2, DHANBAD

In the matter of Reference No. 49 of 1985

PARTIES:

Employers in relation to the Management of Barora
Area No. 1 of M/s. Bharat Coking Coal Ltd.,

AND

Their workmen.

JOINT COMPROMISE PETITION OF THE EMPLOYERS
AND WORKMEN

The abovementioned employers and workmen most respectfully beg to submit jointly as follows :—

- (1) That the employers and workmen have jointly negotiate the issue covered by the reference order with a view to arriving at an amicable and a mutually acceptable and overall settlement.
- (2) That as a result of such negotiations, the employers and the workman have agreed to settle the matter covered by the above reference on the following terms and conditions :—
 - (a) It is agreed that the management shall place Shri Kameshwar Saw (no Kameshwar Singh as wrongly mentioned in the reference order) in the post of peon in the monthly pay scale of grade H under NCWA-III w.e.f. 11-7-1988.
 - (b) It is agreed that the pay of the workman concerned shall be fixed at the stage in monthly grade H next above the basic pay in Daily Rated Cat-I which he is drawing on the above date as referred to in clause (a) above.
 - (c) It is agreed that this is an overall settlement in full and final settlement of all the claims of the sponsoring union and the workman concerned arising out of the aforesaid reference.
- (3) That the employers and the workmen hereby jointly declare and confirm that they consider the aforesaid terms of settlement as fair just and reasonable to both the parties.

In view of the above, the employers and the workmen jointly pray that the Hon'ble Tribunal may be pleased to accept the joint compromise petition and give an award in terms of the same and dispose of the reference accordingly.

(J. P. Thakur), Area Secy.
Rashtriya Colliery Mazdoor Sangh
For and on behalf of workman

(B. N. Tiwari)
General Manager
For and on behalf of Employer

Witnesses :—

1. Kameshwar Saw
2. K. P. Rewani

(V. R. Josh)
Dy. Chief Pers. Manager
For and on behalf of the Employer

नई दिल्ली, 6 सितम्बर, 1988

क्रा. प्रा. 2865.—केन्द्रीय सरकार का समाधान हो गया है कि लोकहित में सेवा करना कोशिश है कि भारत अंतरराष्ट्रीय विमानपत्तन अधिकरण में सेवा को जो औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की प्रथम अनुसूची की प्रविष्टि 27 के अन्तर्गत आती है उक्त अधिनियम के प्रयोजनों के लिए लोक उपयोगी सेवा कोष्टित किया जाना चाहिए ;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (5) के उपखंड (6) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए छह माह की अवधि तक के लिए तत्काल लोक उपयोग सेवा घोषित करती है।

[संख्या एस्-11017/1/87-डा 1(ए)]

नंद लाल, धनरंज मेहता

New Delhi, the 6th September, 1988

S.O. 2865.—Whereas the Central Government is satisfied that the public interest requires that the service in the International Airports Authority of India, which is covered by entry 27 in the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947), should be declared to be a public utility service for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares with immediate effect the said industry to be a public utility service for the purposes of the said Act for a period of six months.

[F. No. S-11017/1/87-D.I(A)]

NAND LAL, Under Secy.

नई दिल्ली, 8 सितम्बर, 1988

का. अ. 2866.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यूनियन बैंक आफ इंडिया के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में औद्योगिक अधिकरण, अहमदाबाद के पक्षों को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-8-88 को प्राप्त हुआ था।

New Delhi, the 8th September, 1988

S.O. 2866.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Ahmedabad as shown in the Annexure in the industrial dispute between the employers in relation to the Union Bank of India and their workmen, which was received by the Central Government on the 26th August, 1988.

ANNEXURE

BEFORE SHRI A. N. RAM, INDUSTRIAL TRIBUNAL,
AHMEDABAD

Ref. (ITC) No. 62 of 87
ADJUDICATION
BETWEEN

Union Bank of India, Ahmedabad.
versus

The workmen employed under it.

In the matter of the demand for allowing Mrs. A. B. Kapadia to operate the Accounting machine.

APPEARANCES:

Shri J. M. Patel, Advocate for the Bank.

Shri S. R. Shah, Gen. Secretary, Union Bank Staff Union,
Ahmedabad—for the workmen.

AWARD

An industrial dispute between the Union Bank of India, Ahmedabad (hereinafter referred to as 'Bank') and the workmen employed under it was referred for adjudication to the Industrial Tribunal, Ahmedabad under Section 10(1)(d) of the I.D. Act, 1947 by the Government of India, Ministry of Labour, New Delhi by its Order No. L-12012/177/87-D.II(A) dt. 25th November, 1987. This dispute was allotted to this Tribunal by the President of the Industrial Court, Ahmedabad. The dispute pertains to the demand for allowing Mrs. A. B. Kapadia to operate the Accounting machine. The exact terms of reference are as under:

"Whether the action of the management of Union Bank of India, Ahmedabad is justified in not allowing the workman Mrs. A. B. Kapadia, senior-most employee in clerical cadre to operate the accounting machine from the date she was actually entitled to and pay the arrears from June 1984? If not, to what relief the concerned workman entitled?"

2. The Union Bank Staff Union, Ahmedabad is the sponsoring union in this case. The statement of claim in justification of the demand, was filed on 5-1-1988, and the same is at Ex. 4. The written statement of the Bank was filed on 18-2-88 and the same is at Ex. 8. Smt. A. B. Kapadia was examined as a witness before this Tribunal on behalf of the workmen on 18-4-88 (Ex. 12). The second party closed its oral evidence on that day. The Bank led the evidence of one Shri Pravindbhai Meghabhai Rathod, the Personnel Officer on 28-4-88. The Bank closed its evidence on the same date i.e. 28-4-88. The Union had filed certain documents alongwith its statement of claim numbering about 5. The Bank had also submitted certain documents by its letters at Ex. 13 and 28 (19 documents).

3. The parties have been fully heard. I have also gone through all the documents on record. The undisputed facts in this case are that the workman concerned, Smt. A. B. Kapadia had joined the Bank in the clerical cadre on 2-2-66. She was promoted thereafter on 6-9-76 as a head Clerk. She was offered promotion as Officer on 24-9-77, but she had refused promotion. She was then debarred from promotion for a period of 3 years (Ex. 15) from 22-10-77. Subsequently she was offered the post of Special Assistant, in November, 1982, but he had refused this offer also. She was then debarred from further promotion for a period of two years from 25th November, 1982 (Ex. 18). Subsequently she was given the offer of Special Assistant in July, 1983. This offer also was not accepted by the workman. She was then reverted to the post of clerk by a memo dt. 9th February, 1984. (Ex. 20) By another letter of 24-3-84 (Ex. 22) she was permanently barred for higher assignment. By a subsequent memo dt. 21-1-86 the workman was informed that the bar referred to in the memo of 24-3-84 is applicable only for the post of Special Assistant. She was also informed that such bar will operate for a period of 3 years from the date of reversion as Clerk (Ex. 26). It appears that the Bank had introduced mechanisation in some branches and had installed Accounting machine in 1984. Smt. Kapadia, the workman concerned had submitted an application on 19-5-84 to consider her for the post of Account Machine Operator. It carried special allowance. The Bank on 29-5-84 informed her that she is not eligible for entrustment of duties attracting special allowance in view of the bar imposed on her by the order of 24-3-84.

4. The Bank had raised a preliminary contention stating that the reference was not maintainable since the workman had filed a writ petition in the High Court of Gujarat praying for same relief. It may be stated in this connection that the workman concerned has given a purshis at Ex. 40 stating that she had since withdrawn petition from the High Court of Gujarat. The objection raised by the Bank does not therefore subsist.

5. The point for consideration is whether the Bank is justified or not in not assigning the work of operating the Accounting machine to Smt. Kapadia in June, 1984 when the Accounting machine was installed in the Branch at Relief Road where she was working as a clerk. The Bank's stand is that since the workman had refused the offer of higher assignment she had invited the order of disqualification for higher assignment; that by the order of 24-3-84 she was permanently debarred from any other higher assignment and that there was no question of giving her the assignment of Account Machine Operator. The Bank has also taken the stand that the order dt. 21-1-86, modifying the earlier order of 24-3-84, by restricting the disqualification for a period of 3 years only in respect of the post of Special Assistant cannot operate retrospectively so as to enable the concerned workman to claim posting as Account Machine Operator. Shri S. R. Shah appearing for the workman had urged that according to the memorandum of understanding in the matter of promotion, which cons-

stituted a promotion policy for appointment to the posts of Account Machine Operator, Assistant, Head Cashiers, Cashiers etc. etc., there was no provision which enabled the Bank to impose a permanent bar on promotion. Now the Personnel Officer, who had given evidence before this Tribunal on behalf of the Bank has clearly stated in his cross examination that according to the new policy adopted in 1983 there was no provision for imposition of permanent bar on promotion. The Union has, along with its statement of claim, filed a copy of the Memorandum of understanding (Annexure D to the statement of claim). There appears no provision for imposing permanent bar. By a memo of 21-1-86 the Bank has informed the workman concerned that the bar is applicable only for the post of Special Assistant and it would operate only for a period of 3 years from the date of reversion as clerk. The memorandum could be considered as correction memo to the memo of 24-3-84. The Bank's argument that this correction memo will not have retrospective effect cannot be accepted. Incidentally, the earlier memo of 24-3-84 would not be a valid memo if it is allowed to stand uncorrected, since the Bank has no power to impose a permanent bar on promotion. It has not produced any evidence to show that it has such power. It is, therefore, obvious that for refusing to accept the post of Special Assistant, the workman concerned has been barred for higher assignment as Special Assistant for 3 years from the date of her reversion as clerk i.e. from 9-2-84 and not for any other assignment. There is no bar on assignment as an Account Machine Operator.

6. It was contended on behalf of the 2nd party, that the workman concerned was the senior most person in Ahmedabad and persons junior to her were assigned the work of operation of Accounting Machine, in June, 1984. The witness for the Bank has admitted in his examination-in-chief that the 8 persons who were assigned work on the Accounting machine were junior to her. The union has also contended that some other persons who had refused the post of Special Assistant, were given the work of operating the Account Machine. The workman concerned, who had given evidence before the Tribunal had given the names of one Shri I. K. Shah, Shri A. I. Patwa, Shri M. G. Chauhan and Shri H. K. Patel who had refused such promotion and who had been assigned work as Account Machine Operator. The witness for the management has confirmed this statement in his cross examination. However there is no evidence brought on record to show whether and to what extent any bar on promotion was imposed on these persons for their refusal to accept the post of Special Assistant and no definite conclusion can be drawn.

7. The Bank had also pleaded that the concerned workman was reluctant to shoulder higher assignment and that she had refused promotion as well as the offers for higher assignment carrying special allowance on more than one occasion in the past; that the employee cannot be permitted to make a choice in the matter of post carrying higher assignment; that the concerned workman had interest only in the allowance and the present reference is made only for getting monetary benefit, although the concerned workman was reluctant to shoulder higher assignment. It is true that the concerned workman had refused higher assignment in the past, but the Bank has taken suitable action as per its policy by barring her from promotion for certain number of years. Past cases cannot be re-opened now for barring promotion after the bar no longer exists. It may be stated that there is nothing unusual in a person having interest in getting increased emoluments particularly in these days of high cost of living. It is an incontrovertible fact that every one has such an interest and Smt. Kapadia could not be an exception.

8. Considering all the above facts and circumstances it would be clear that in June, 1984, when the Bank had introduced Accounting Machine there was no bar on the workman concerned for being assigned work of Accounting Machine Operator. Her juniors have been assigned that work. The workman concerned, Smt. Kapadia, is the senior most clerk at Ahmedabad. The witness of Bank has confirmed this position in his deposition before the Tribunal. Even the reference made to this Tribunal speaks of Smt. Kapadia being the senior most employee in clerical cadre. The workman has been deprived of some allowance for no fault of hers. The action of the Bank in not allowing Smt. Kapadia to work

on Accounting Machine from June, 1984 is not justified. The workman will have to be assigned the work of Accounting Machine forthwith. As regards the demand for arrears for the past period, it may be stated that the assignment of work as Accounting Machine Operator does not actually involve any promotion; only some additional work is given in addition to the existing duties of a clerk and some allowance is given as a compensation for doing the additional work. This is clear from the copies of orders issued to some of the members of the clerical staff who have been assigned the work of Accounting Machine Operator. There are 6 such orders (Exs. 29 to 34) brought on record. In all these cases, it has clearly been stated that the person concerned is required to perform besides his normal duty of a clerk, any or all the duties of the Accounting Machine Operator as may be assigned to him from time to time. Shri M. G. Pandya and Shri G. S. Karishwar are assigned such work from June, 1984 and July 1984 respectively (Ex. 30 and 29). They were initially paid an allowance of Rs. 134 p.m. Messrs. V. R. Patwa, K. K. Kantharia, I. K. Shah and M. G. Chauhan are assigned the work of Accounting Machine Operator from 1-2-85 (Exs. 31, 32, 33 and 34) and they were given Rs. 216 p.m. as allowance. It appears that the allowance was increased in 1985 from Rs. 134 to Rs. 216. Now it is true that Mrs. Kapadia was not assigned the work of Accounting Machine Operator from June, 1984 even though she was the senior most among the clerks. This appears to have been done due to a faulty interpretation of the terms of agreement regarding promotion policy. There is no victimisation for trade union activities as such. Further, the reference is made in November, 1987. Considering all these aspects, I think the ends of justice would be met, if the workman is given a lump sum of Rs. 2,500 as compensation in lieu of arrears. I direct accordingly. It is made clear that her seniority will not in any way be prejudicially affected as a result of these directions.

9. The Union, has in its statement of claim, challenged the reversion of the workman from the post of Head Clerk, to that of a clerk. This question has not been referred to this Tribunal for adjudication and it is therefore beyond its jurisdiction.

I therefore pass the following orders :

1. The action of the management of the Union Bank of India, Ahmedabad in not allowing Mrs. A. B. Kapadia to operate the Accounting Machine from June, 1984 is not justified.
2. Mrs. A. B. Kapadia shall be assigned the work of Accounting Machine forthwith and in any case not later than one month from the date of coming into operation of this Award.
3. She shall be paid Rs. 2,500 (Rupees two thousand five hundred only) as compensation in lieu of arrears of allowance.
4. Smt. Kapadia's seniority shall not be affected prejudicially as a result of these directions.
5. No order as to costs.

A. N. RAM, Presiding Officer
[No. L-12012/177/87-D.II(A)]

Sd./- G. J. Dave,
Secretary,
Ahmedabad, 13th July, 1988.

का. प्र. 2867.- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार केन्द्र बैंक के प्रबन्धन के संबंध में और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली को पंचसट को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-8-88 को प्राप्त हुआ था।

S.O. 2867.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal New Delhi, as shown in the Annexure in the industrial dispute between the employers in relation to the Canara Bank and their workmen, which was received by the Central Government on the 31st August, 1988.

ANNEXURE

BEFORE SHRI G. S. KALRA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
NEW DELHI

I. D. No. 47/87

In the matter of dispute between :

Shri Dev Singh Rawat, C/o Shri S. S. Rawat, H. No.
S/216, School Block, Shakarpur, Delhi-110092.

Versus

Asstt. General Manager, Canara Bank, Hanuman Road,
Parliament street, New Delhi.

APPEARANCES :

A. K. Sikri—for the Management.

None—for the workman.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/112/87-D.II (A) dated 22-6-87 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of Canara Bank New Delhi, in terminating the services of Shri Dev Singh Rawat w.e.f. 30-9-84 is justified ? If not, to what relief is the workman entitled ?"

2. The workman had filed statement of claim on 22-3-88. Management filed its written statement on 7-6-88 and the case was fixed for filing of rejoinder by the workman and documents of the parties. However, the workman started absenting and did not put in appearance nor anybody appeared on his behalf nor did he send any intimation. It appears that he is not interested in pursuing this dispute. Hence this reference is disposed of for nonprosecution.

Further it is ordered that the requisite number of copies of this award may be forwarded to the Central Government for necessary action at their end.

Dated : 8th August, 1988.

G. S. KALRA, Presiding Officer
[No. L-12012/112/87-D.II (A)]

का. आ. 2868.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा-17 के अन्वय में, केन्द्रीय सरकार बैंक आफ अश्वेदा के प्रबन्धन में सबड निर्योजकी और उनके कर्मकारों के बीच, अनुबंध में निम्नित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-8-88 को प्राप्त हुआ था ।

S.O. 2868.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the Bank of Baroda and their workmen, which was received by the Central Government on the 30th August, 1988.

ANNEXURE

BEFORE SRI ARJAN DEV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, KANPUR

Industrial Dispute No. 37 of 1988

Reference No. L-12012/420/87 D.II (A) dated 22-3-88

In the matter of dispute between :

The General Secretary,

U.P. BOB Employees' Union,

C/o Bank of Baroda, Latouche Road,
Kanpur.

AND

Regional Manager,

Faizabad Region, Bank of Baroda,
19 Way Road, Lucknow.

AWARD

1. The Central Government, Ministry of Labour, vide its Notification No. L-12012/420/87-D.II (A) dated 22-3-88, has referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Bank of Baroda is justified in not granting Daltari allowance to Shri Tulsi Ram, Faizabad Branch, with effect from 1-1-86 although he was senior most peon in subordinate cadre ? If not, to what relief is the workman entitled ?"

2. In the present case first notice was issued on 5-4-88 in pursuance of order dated 28-3-88 fixing 20-4-88 for filing claim statement on 20-4-88 Shri Hari Om Tandon put in appearance on behalf of the management but none put appearance from the side of workman. The case was then fixed for 13-6-88 for filing the statement of claim. On 13-6-88 workman moved application for adjournment but none appeared from the side of the management. The case was again fixed for 28-7-88 for filing statement. On 28-7-88, no claim statement was filed on behalf of the workman. Moreover, none has put in appearance from the workman's side.

3. As such a no claim award is given in the case looking to the facts and circumstances of the case that the workman is not interested in prosecuting the case.

Let six copies of this award be sent to the Government for its publication.

ARJAN DEV, Presiding Officer

[No. L-12012/420/87-D.II (A)]

N. K. VERMA, Desk Officer

का. आ. 2869.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार मेसर्स ई. सी. लिम. की कुमारघिर्वा-बी कोलियरी के प्रबन्धन के सम्बन्ध निर्योजकी और उनके कर्मकारों के बीच, अनुबंध में निम्नित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बलकना के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-8-88 को प्राप्त हुआ था ।

S.O. 2869.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Kumardihi-B Colliery of M/s. E. C. Ltd. and their workmen, which was received by the Central Government on the 26th August, 1988.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
AT CALCUTTA

Reference No. 124 of 1988

PARTIES :

Employers in relation to the management of Kumardihi-B Colliery of M/s. Eastern Coalfields Ltd.

AND

Their workmen.

APPEARANCES :

On behalf of employers—None.

On behalf of workmen—None.

STATE : West Bengal

INDUSTRY : Coal

AWARD

By Order No. L-19012(18)/87-D.IV (B) dated 24-8-87 the Government of India, Ministry of Labour, referred the following dispute to this Tribunal for adjudication :

"Whether the action of the Management of Kumardih-B Colliery of Eastern Coalfields Ltd., P.O. Ukhra, Distt. Burdwan in dismissing Sri Lalit Marandih, Loader, from 14-7-1981 is justified? If not, to what relief the concerned workman is entitled?"

2. The case is called out. None appeared from either side inspite of the service of notices upon them by registered post as per the Order dated 31 May, 1988. No intimation has also been sent to this Tribunal by either of the parties. It appears from the record that the parties did not also appear on 31 May, 1988 and no intimation was also sent to this Tribunal about their absence, although the notice of the Reference were served upon them duly by registered post in pursuance of the Tribunal's Order dated 30-3-1988.

3. It appears that the parties are not interested with the reference. In the circumstances the Tribunal cannot give any other adjournment and issue the notice upon the parties once again at the expense of the Government when notices already served upon the parties by registered post twice could not bring the parties before the Tribunal. In the circumstances there is no other alternative but to pass a 'No Dispute Award' and accordingly I do so.

This is my Award.

Dated, Calcutta.

The 18th August, 1988.

SUKUMAR CHAKRAVARTY, Presiding Officer

[No. L-19012/18/87-D.IV (B)]

क्र. अ. 2870—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार व मैसर्स ई. सी. लि. की मालवपुर कोलियरी के प्रबन्धन के सम्बन्ध निरोधकों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार का 26-8-88 का प्राप्त हुआ था।

S.O. 2870.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Seetalpur Colliery of M/s. E.C. Ltd., and their workmen, which was received by the Central Government on the 26th August, 1988.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA

Reference No. 11 of 1986

PARTIES :

Employers in relation to the management of Seetalpur Colliery of M/s. Eastern Coalfields Ltd.

AND

Their workmen.

APPEARANCES :

On behalf of employers—Mr. B. N. Lala, Advocate.

On behalf of workmen—None.

STATE : West Bengal

INDUSTRY : Coal

AWARD

By Order No. L-19012(39)/85-D.IV (B) dated 17th January, 1986, the Government of India, Ministry of Labour referred the following dispute to this Tribunal for adjudication :

"Whether the action of the Management of Seetalpur Colliery of M/s. E.C. in superannuating Shri Dhaneswar Shaw, Loader with effect from 1-7-1985 on the basis of his age assessed as 1925 by the Area Age Determination Committee is justified? If not, to what relief the workman is entitled?"

2. It appears that the Secretary of the Union has already filed an application stating that the Union is no longer interested in the reference and that a 'No Dispute Award' may be passed in the instant matter. Mr. Lala also submits that he has received a copy of such application. In the circumstances I have no other alternative but to pass a 'No Dispute Award' and accordingly I do so.

This is my Award.

Dated, Calcutta.

The 19th August, 1988.

SUKUMAR CHAKRAVARTY, Presiding Officer

[No. L-19012/39/85-D.IV (B)]

क्र. अ. 2871—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार व मैसर्स ई. सी. लि. की उमर कोलियरी के प्रबन्धन के सम्बन्ध निरोधकों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 2, बम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार का 25-8-88 का प्राप्त हुआ था।

S.O. 2871.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Bombay, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Umrer Colliery of M/s W.C. Ltd., Nagpur and their workmen, which was received by the Central Government on the 25th August, 1988.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 2, BOMBAY

Reference No. CGIT-2/2 of 1988

PARTIES :

Employers in relation to the management of Umrer Colliery of W.C. Nagpur.

AND

Their workmen.

INDUSTRY : Coal Mines

STATE : Maharashtra

Bombay, the 3rd August, 1988

AWARD

The Central Government by their Order No. L-21012/98/87-D.II (B) dated 16-12-1987 has referred the following industrial dispute to this Tribunal for adjudication under Section 10(1)(d) of the Industrial Disputes Act :—

"Whether the action of the management of Umrer Colliery of WCL, Nagpur in dismissing from service Shri Bhaskar Buradkar, Ex. Misc. Mazdoor w.e.f. 24-11-1986 was justified? If not, what relief is the workman entitled to?"

2. Notices of the said reference were issued to both the parties.

3. To-day this Tribunal received by post a letter from the Secretary, Rashtriya Koyla Khadan Mazdoor Sangh (INTUC) Umrer Project stating that they want to withdraw the above said reference as the said issue would be discussed with the management. The Sub-Area Manager, W.C.L. Umrer Project also filed pursis stating that they have also received a letter from the Secretary of the said Union expressing their willingness to withdraw the present reference.

4. Therefore, in view of the said application by the Union the reference stands disposed of. No award in the matter.

Dated : 3rd August, 1988.

P. D. APSHANKAR, Presiding Officer

[No. L-21012/98/87-D.III (B)]

का. आ. 2872.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार व मैसर्स वेस्टर्न कोलफील्ड्स लि., वार्धा वैली वैली, दुर्गापुर रायतवारी कोलियरी के प्रबन्धकों के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-8-88 को प्राप्त हुआ था।

S.O. 2872.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bombay, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. W.C. Ltd., Wardha Valley, Area, Durgapur Rayatwari Colliery and their workmen, which was received by the Central Government on the 25th August, 1988.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2 BOMBAY

Reference No. CGIT-2/74 of 1985

PARTIES :

Employers in relation to the management of Durgapur Rayatwari Colliery of M/s. W.C.L.

AND

Their workmen.

APPEARANCES :

For the employers—Shri K. K. Shrivastava.

For the workmen—Shri G. V. R. Sarma.

INDUSTRY : Coal Mines STATE : Maharashtra
Bombay, the 18th August, 1988

AWARD

The following industrial dispute has been referred to this Tribunal by the Government of India Ministry of Labour by its Order No. L-22012(31)/85-D.(V) dated 2-12-1985 for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 :—

"Whether the action of the management of M/s. Western Coalfields Limited, Wardha Valley Area Durgapur

Rayatwari Colliery P.O. and District Chandrapur is justified in terminating the services of the workman Shri Sukru Shio Mohan with effect from 15/29-2-1974? If not, what relief the workman is entitled to?"

2. The necessary statement of claim was filed on behalf of the workman by the Organising Secretary Rashtriya Koyala Khadan Mazdoor Sangh of which the workman is a member. The written statement was also filed denying the claim of the workman, on behalf of the management.

3. During the pendency of this reference, both the parties came to an amicable settlement, and they have filed the terms of settlement dated 3-9-1986. The settlement has been signed by the Organising Secretary of the Union and by the Personnel Manager of the Management. The terms and conditions of the said settlement are thus :—

"1. It was agreed that the case of Shri Sukru Shio Mohan, Ex-badli worker of Durgapur Rayatwari Colliery, will be referred to Appellate Medical Board consisting of Chief Medical Officer, an Eye Specialist and Med. Supdt. of Chandrapur, within a week, for examination whether he is fit for any surface job or not.

2. It was agreed that in case he is declared fit for surface job by the above Board, he will be provided regular employment by the Area.

3. It was agreed that Shri Sukru Shio Mohan, who was appointed in May, 1979 as Badli worker, will not be entitled for any arrear wages for the period of idleness.

4. This agreement shall not be treated as a precedent for any other case.

5. This agreement fully and finally resolves the dispute pending before CGIT vide reference quoted above.

6. The parties agree to file the compromise settlement before the Presiding Officer, CGIT, and request for an award in terms of this settlement.

I find that this settlement is quite in the interests of said workman and as such effect must be given to it. Therefore, the Award must be and is drawn in terms of the settlement.

Dated : 18-8-1988.

P. D. APSHANKAR, Presiding Officer

[No. L-22012/31/85-D.V]

नई दिल्ली, 9 सितम्बर, 1988

का. आ. 2873.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार व मैसर्स वेस्टर्न कोलफील्ड्स लिम. की मोहन कोलियरी के प्रबन्धकों के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. II, बम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-8-88 को प्राप्त हुआ था।

New Delhi, the 9th September, 1988

S.O. 2873.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, No. 2, Bombay, in the industrial dispute between the employers in relation to the management of Mohan Colliery of M/s. Western Coalfields Ltd. and their workmen, which was received by the Central Government on the 26th August, 1988.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 2, BOMBAY

Reference No. CGIT-2/20 of 1985

PARTIES :

Employers in relation to the management of Mohan
Colliery of Western Coalfields Limited, Kanhan
Area

AND

Their workmen.

APPEARANCES :

For the employers—Shri A. K. Sasi, Advocate.

2. Shri P. N. Srivastava, Dy. P.M., W.C.L.

For the workmen—Shri Sheobacan Singh President of
the Union.INDUSTRY : Coal Mines STATE : Madhya Pradesh
Bombay, the 16th August, 1988

AWARD

The Central Government by their Order No. L-22011/18/82-D.III (B) dated 24-8-1983 has referred the following industrial dispute under Section 10(1)(d) of the Industrial Disputes Act, 1947 to the Central Government Industrial Tribunal at Jabalpur which was subsequently transferred to this Tribunal by order No. S-11025(1)/85-D.IV (B) dated 8-2-1985 :—

"Whether the action of the management of Western Coalfields Limited, Kanhan Area in relation to their Mohan Colliery in keeping Shri Laxmi Prasad in clerical Grade III is justified? If not, to what relief the workman is entitled?"

"Whether the action of the management of Western Coalfields Ltd., Kanhan Area in relation to their Mohan Colliery in stopping Shri Sukhlal S/o Shri Devi Din from work in February, 1980, is justified? If not, to what relief the workman is entitled?"

2. Necessary evidence was led by the parties, and Award was passed by my learned predecessor on 14-2-1985. It was held that Shri Laxmi Prasad was not entitled to any relief. It was, however, held that the other workman Shri Sukhlal S/o Shri Devi Din was entitled to all the reliefs namely reinstatement with full back wages. Against the said order the management filed review application under Order 47 of C.P.C. My predecessor by order dated 19-2-1986 passed an order reviewing the above said award. He further passed an order giving opportunity to the parties to lead evidence afresh.

3. Pending the matter, both the parties came to an amicable settlement and filed their settlement dated 28-3-1986. The terms of the said settlement are thus :—

"1. Shri Laxmi Prasad, Store Issuer Gr. III will be regularised as Clerk Gr. II w.e.f. 13-10-1985.

2. Shri Sukhlal S/o Devidin will be reinstated as Category I Mazdoor from 15-10-1985 without any back wages whatsoever.

3. Shri Sukhlal will not claim any further benefit except for continuity or service.

4. The management will pay Rs. 1000 to the Union towards cost of this dispute.

2. The above agreement is full and final settlement of the claims of the union and after this settlement, there will be no industrial dispute as far as this dispute is concerned."

4 I find that above said settlement is quite in the interests of the above said workmen S/Shri Laxmi Prasad and Sukhlal. As such I accept it. Therefore the award already passed on 14-8-1985 stands cancelled and instead, the award in terms

of the present settlement dated 28-3-1986 must be and is drawn accordingly.

P. D. APSHANKAR, Presiding Officer

[No. L-22011/18/82-D.III (B)]

का. का. 2874.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार व सैतर्ज ई. सी. लि. की जेकेनगर कोलियरी के प्रत्यक्ष के सम्बद्ध निचोखों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-9-88 को प्राप्त हुआ था।

S.O. 2874.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Calcutta, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Jaykaynagar Colliery of M/s. Eastern Coalfields Ltd. and their workmen; which was received by the Central Government on the 2nd September, 1988.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA

Reference No. 23 of 1986

PARTIES :

Employers in relation to the management of Jaykaynagar
Colliery of M/s. Eastern Coalfields Limited.

AND

Their Workmen

APPEARANCES :

On behalf of Employers—Shri S. K. Ghosh an official
of the Colliery.

On behalf of Workmen.—None.

STATE : West Bengal

INDUSTRY : Coal

AWARD

By Order No. L-19012(56)/85-D.IV (B) dated 10th February, 1986; the Government of India, Ministry of Labour, referred the following dispute to this Tribunal for adjudication :

"Whether the action of the Management of Jaykaynagar Colliery of M/s. Eastern Coalfields Limited in not giving grade 'D' scale of pay of Technical and Supervisory staff to Smt. Alo Rani Samajdar on her appointment as Crach Nurse w.e.f. 19-10-1982 is justified? If not, to what relief the workman concerned is entitled?"

2. When the case is called out today, Shri S. K. Ghosh an official of the colliery files a Joint Petition of Compromise and prayer for an Award in terms of the said Joint Petition of Compromise. Perused the Joint Petition of Compromise which appears to have been signed by the Agent, Jaykaynagar Colliery on behalf of the employer and General Secretary of the Union. The terms of the Joint Petition of Compromise appear to be fair, reasonable and in the interest of the parties. I therefore, accept the same and pass an 'Award' in terms of the said Joint Petition of Compromise which do form part of this Award as Annexure 'A'.

This is my Award.

Dated, Calcutta,

The 26th August, 1988.

SUKUMAR CHAKRAVARTY, Presiding Officer

[No. L-19012/56/85-D.IV (B)]

ANNEXURE 'A'

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

In the matter of the reference No. 23 of 1986

PARTIES :

Employers in relation to the management of Jaykaynagar Colliery of ECL, P.O. Jaykaynagar Colliery, P.S. Raniganj, Dist. Burdwan (W.B.).

AND

Their Workmen.

Joint petition of the employers and the workmen for compromise

The above mentioned employers as well as the workmen most respectfully beg to submit jointly as follows :

1. That the employers as well as the workmen have jointly discussed the matters covered by the aforesaid reference with the view to arrive at an overall and mutually acceptable settlement.
2. That as a result of the aforesaid negotiation, the employers as well as the workman have come to an overall and mutually acceptable settlement in regard to the aforesaid matter on the following terms and conditions :
 - (a) It is agreed that the employers will place Smt. Alorani Samajdar, Creche Nurse, the concerned workman of J.K. Nagar Colliery in Tech. and Supv. Grade D of the National Coal Wage Agreement w.e.f. 1-1-1986.
 - (b) It is agreed by the employers that the existing basic pay of Smt. Alorani Samajdar shall be fitted in Tech. and Supv. Grade 'D' at the appropriate stage.
 - (c) It is agreed by the workman that Smt. Alorani Samajdar the concerned workman, shall have no claim for any arrear payments and benefits prior to 1-1-1986.
3. That it is agreed that Clauses a, b and c above represent an overall settlement in respect of the aforesaid reference and all issues arising from and connected herewith.
4. That the employers as well as the workman concerned consider that the aforesaid agreement is reasonable, fair and just to both the parties.

In view of the above, it is prayed that your Lordship may be pleased to dispose of the aforesaid reference in terms of the joint petition and give an Award accordingly.

General Secretary,
Koyala Mazdoor Congress (HMS),
Gorai Mension, G.T. Road,
Asansol.

Agent,

Jaykaynagar Colliery,
Eastern Coalfields Ltd.
P.O. J.K. Nagar (Burdwan)

का. आ. 2875. --औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार व मैसर्स ई. सी. लि. की बोंजेमहारी कोलियरी के प्रबंधन के संबद्ध और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-9-88 को प्राप्त हुआ था।

S.O. 2875.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta, as shown in the Annexure, in the industrial dispute between the employers in relation of the management of Bonjemehari Colliery of M/s. E.C. Ltd., and their workmen, which was received by the Central Government on the 1st September, 1988.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 58 of 1983

PARTIES :

Employers in relation to the management of Bonjemehari Colliery of Messrs Eastern Coalfields Limited.

AND

Their workmen.

PRESENT :

Mr. Justice Sukumar Chakravarty Presiding Officer.

APPEARANCES :

On behalf of employers—Mr. B. N. Lala, Advocate.

On behalf of workmen—None.

STATE : West Bengal.

INDUSTRY : Coal.

AWARD

By Order No. L-19012(33)/83-D.IV(B) dated 3rd December, 1983 the Government of India, Ministry of Labour & Rehabilitation (Department of Labour), referred the following dispute to this Tribunal for adjudication.

"Whether the action of the management of Bonjemehari Colliery Limited, P.O. Saianpur, District Burdwan not to regularise Shri Baidyanath Biswakarma as Filter Helper w.e.f. 14-7-80 is justified? If not, to what relief the workman concerned is entitled?"

2. Mr. B. N. Lala, Advocate appears for the management but nobody appears on behalf of the workmen inspite of service of the registered notice upon the concerned union on 6-8-1988. It appears from the record that although the union filed written statement and their advocate appeared in the beginning but since February, 1986 the union representing the workman did not appear either through advocate or through any office bearer of the union. In the circumstance and in view of the submission as made by Mr. Lala it appears that the union representing the workman has lost their interest in the case which is ending from 1983. I find no justification to give further time to the Union for their appearance by sending registered notice once again at the cost of the government and I held in the circumstances that the case should be disposed of by passing a 'No Dispute Award'. Accordingly I do so

This is my Award.

Dated, Calcutta,

The 23rd August, 1988

SUKUMAR CHAKRAVARTY, Presiding Officer
[No. L-19012(33)/83-D.IV (B)]

का. आ. 2876. --औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार व मैसर्स ई. सी. लिम. की सतग्राम कोलियरी वर्कशॉप के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता के पंचाट को प्रकाशित करती है जो केन्द्रीय सरकार को 2-9-88 को प्राप्त हुआ था।

S.O. 2876.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta, as shown in the Annexure in the industrial dispute between the employers in relation to the management of Satgram Colliery Workshop of M/s. E.C. Ltd. and their workmen which was received by the Central Government on the 2nd August, 1988.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 5 of 1988

PARTIES :

Employers in relation to the management of Satgram Colliery Workshop of M/s. Eastern Coalfields Limited,

AND

Their Workmen

APPEARANCES :

On behalf of Employers—Mr. S. K. Ghosh, an official of the Colliery.

On behalf of Workmen—None.

STATE : West Bengal

INDUSTRY : Coal

AWARD

By Order No. L-19012(58)/86-D.IV (B) dated 17th January, 1987, the Government of India, Ministry of Labour, referred the following dispute to this Tribunal for adjudication :

"Whether the management of Satgram Colliery Workshop of M/s. E.C. Ltd., P.O. Devchandnagar, Dist. Burdwan was justified in denying promotion to Shri Sourendra Nath Ganguly to the post of Foreman in Technical and Supervisory Gr. B as per Order No. SAT/GM/DCPO/777/10968 dated 15-11-77? If not to what relief the workman concerned is entitled?"

2. When the case is called out today, Shri S. K. Ghosh an official of the colliery files a Joint petition of Compromise and prays for an Award in terms of the said Joint Petition of Compromise. Perused the Joint Petition of Compromise which appears to have been signed by the Agent, Satgram (R) Colliery on behalf of the employer and Secretary of the Union. The terms of the Joint Petition of Compromise appear to be fair, reasonable and in the interest of the parties. I therefore, accept the same and pass an 'Award' in terms of the said Joint Petition of Compromise which do form part of this Award as Annexure 'A'.

This is my Award.

Dated, Calcutta,

The 26th August, 1988.

SUKUMAR CHAKRAVARTY, Presiding Officer

[No. L-19012/58/86.D.IV(B)]

ANNEXURE 'A'

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL-TRIBUNAL-CUM-LABOUR COURT, CALCUTTA

In the matter of Ref. No. 5 of 1988

PARTIES :

Employers in relation to the Management of Satgram Colliery of M/s. E.C.L.

AND

Their Workmen

Joint Petition of the Employers and workmen for Compromise.

The abovementioned employers as well as the workman beg most respectfully to submit jointly as follows :—

- (1) That the employers as well as the workman have jointly discussed the matter covered by the aforesaid Reference with a view to arrive at an overall and mutually acceptable settlement.
- (2) That as a result of the aforesaid negotiation the employers as well as the workman have come to an overall and mutually acceptable settlement in regard to the aforesaid matter on the following terms and conditions:—
 - (a) That Sri S. N. Ganguly shall be promoted as Foreman (Mech) in Tech. & Supv. Grade-'B' with effect from the date of his assuming charge in the higher post after publication of the Award in the official Gazette.
 - (b) That Sri S. N. Ganguly shall not raise any dispute with regard to his promotion, seniority and arrears wages in future.
 - (c) That the case is hereby finally settled.
 - (d) That Sri S. N. Ganguly shall be posted at Satgram Workshop temporarily at present.

(3) That it is agreed that the clauses (a), (b), (c) and (d) represent an overall settlement in respect of the aforesaid Reference and all issues arising from and connected herewith.

(4) That the employers as well as workmen concerned consider that the aforesaid agreement is reasonable, fair and just to both the parties.

In view of the above it is prayed that your Lordship may be pleased to dispose of the aforesaid reference in terms of the joint petition and give an Award accordingly.

Secretary

Colliery Mazdoor Sabha of India (CITU),
Sishubagan.

P.O. Raniganj, Distt. Burdwan.

Witnesses :

1.

2.

Agent,

Satgram (R) Colliery,

P. O. Devchandnagar.

Dist : Burdwan.

का. आ. 2877--औद्योगिक विवाद सचिवालय, 1947 (1947 का 14) की धारा 17 के अनुसूची में, केन्द्रीय सरकार व जिला प्रबंधक सामग्री खाद्य निगम, बरेली के प्रबंधन के सम्बन्ध में जारी की गई कार्यवाही के बीच, अनुसूची में विनिर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक सचिवालय, भारत के कानून का मन्त्रालय तस्वी है, जो केन्द्रीय सरकार की 2-9-88 का फाया हुआ था।

S.O. 2877.—In pursuance of section 17 of the Industrial disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of District Manager, Food Corporation of India, Bareilly and their workmen, which was received by the Central Government on the 2nd September, 1988.

BEFORE SHRI ARJAN DEW, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 54 of 1987

In the matter of dispute between :

Shri Hari Ram C/o Shri Girish Chandra Bharti, 810
Shahbhai, Bareilly, U.P.

AND

District Manager, Food Corporation of India, 83 Civil
Lines, Bareilly, U.P.

AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-42012/2/86-D.V(D.I.B) dt. 22-5-87 has referred the following dispute for adjudication to this Tribunal :

Whether the action of the management of District Manager, Food Corporation of India, Bareilly, in terminating the services of Shri Hari Ram, Waterman w.e.f. 15-4-85, is legal and justified? If not, to what relief and from what date, he is entitled to?

2. Workman's case in brief is that he is VIII pass and belongs to Backward class. He was appointed on the post of Waterman in the Bareilly office of Food Corporation of India on 26-4-80. Since his appointment, he held the regular post of Waterman and by virtue of his regular and long efficient service he earned the status of a permanent and regular employee. However, to his great surprise his services were terminated by Assistant Manager (Admin.) w.e.f. 15-4-85 by his order dt. 11-4-85. He challenged the said order on the ground that it was passed without jurisdiction and

without compliance of the provisions of sections 25F I.D. Act. With regard to his unlawful termination he also gave a registered notice dt. 15-4-85 to his employer but with no result. He has, therefore, prayed that the order of his termination dt. 11-4-85 be quashed and he be reinstated on his post with retrospective effect with full back wages and all consequential benefits.

3. In defence, the management pleads that the workman was employed on daily wage basis as Waterman at the rate of Rs. 6 per working day in 1980. His appointment was purely seasonal in nature. There being no sanctioned post of waterman in the F.C.I., he could not have been appointed as such in view of appendices I and II of the Staff Regulations of the Food Corporation of India. Workman's plea that he belongs to backward class is irrelevant. Since in the case of the workman, the appointing authority was the District Manager, he was competent to terminate his services. In fact no order of termination was at all required in his case. He was engaged, as earlier stated on daily basis and that too as and when his services were required. After 11-4-85, he was not called for work. During the first 11 days of April 1985, he worked only for 10 days and in the month of March 1985, he was engaged only for 22 days. Lastly, the management pleads that since the termination of his services did not amount to retrenchment, the provisions of section 25F I.D. Act are not attracted.

4. In his rejoinder, the workman submits that he received wages on daily rate basis which was quite unfair and unjustified in view of the principle of Equal Pay for Equal Work. The management wrongly deducted wages of the weekly off days. According to him Staff Regulations to which the management has made reference in its written statement cannot over ride the mandatory provisions of the Industrial Disputes Act.

5. In support of its case, the management has filed the affidavit of Shri S. S. Gautam, presently passed as District Manager, Food Corporation of India, Bareilly. On the other hand, in support of his case, the workman has filed his own affidavit. Both the sides have also filed a number of documents in support of their respective cases.

6. The management witness was cross examined by authorised representative for the workman on 29-6-88. In his cross examination he admits that it was only about 7 months back that he was posted as District Manager, Food Corporation of India at Bareilly. Before that he had never been posted to Bareilly office of the Food Corporation of India. It means that what he has deposed in his affidavit and what he has stated in his cross examination are based on record.

7. The management witness has further deposed in his cross examination that there is no sanctioned post of Waterman in Food Corporation of India at Bareilly. The workman was employed/engaged as casual labour on daily basis and his job was simply to supply water to the employees of the Corporation.

8. Let us assume that the workman was engaged as a casual Labour. The question which arises is as to for how many days he had worked during the period of 12 months preceding the date of termination of his services. With his application dt. 20-5-88, the District Manager also filed extracts from the attendance register for the period 1-7-80 to 11-4-85, pertaining to the workman. On consideration of these documents it will be found that between 15-4-84 and 14-4-85, the workman had worked for 275 days. For arriving at this figure I am not taking into account the weekly off to which under law the workman is also entitled and which therefore should also be counted towards his working days.

9. There is nothing from the side of the management to show that the management before terminating the services of the workman complied with the provisions of section 25F I.D. Act. He was not given notice or notice pay and retrenchment compensation.

10. In the written statement, it has been pleaded that the appointing authority being District Manager, the District Manager, was competent to terminate the services of the

workman. Ext. W-6, is the photostat copy of the order dt. 11-4-85, by means of which the services of the workman were terminated by Assistant Manager (Admn.), on behalf of the District Manager. There is nothing on record to show from the side of the management that the District Manager, is competent to delegate his powers to Assistant Manager (Admn.). Therefore, this order also cannot be upheld. Further it has been pleaded by the management in its written statement that in view of appendices I and II of Staff Regulations of Food Corporation of India, the workman could not have been appointed on a regular basis on the post of Waterman which did not exist at all. No such regulations have been shown during the course of arguments from the side of the management. As such I find no force in this plea.

11. In view of the above discussions of evidence and law it is held that the action of the management of District Manager, Food Corporation of India, Bareilly, in terminating the services of workman Shri Hari Om w.e.f. 15-4-85 is neither legal nor justified. The workman is, therefore, entitled to be reinstated with retrospective effect and with full back wages and other consequential benefits on his furnishing an affidavit that he was not employed anywhere else during the period during which his out of employment of the management.

12. The reference is answered accordingly.

ARIJAN DEV, Presiding Officer

[No. L-42012/2/86-D.V/D.II B]

R. K. GUPTA, Desk Officer

का. आ. 2878.—उत्प्रवास अधिनियम, 1983 (1983 का 31)
को धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार
उत्प्रवास संरक्षी कार्यालय, कोचीन में सहायक श्री के. के. थोमस को
दिनांक 8 तथा 9 सितम्बर, 1988 को उत्प्रवास संरक्षी कोचीन के सभी
कार्य करने के लिए प्रसिद्धित करती है।

[सं. ए.-22012(1)/86--उत्प्र.-3]

एम. एस. टांगरी, अवर सचिव

S.O. 2878.—In exercise of the powers conferred by section 5 of the Emigration Act, 1983 (31 of 1983), the Central Government hereby authorises Shri K. K. Thomas, Assistant in the Office of Protector of Emigrants, Cochin to perform all functions of Protector of Emigrants, Cochin on 8th and 9th September, 1988.

[No. A-22012(1)/86-Emig.II]

M. S. TANGRY, Under Secy

का. आ. 2879.—औद्योगिक विवाद अधिनियम, 1947 (1947 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार भारतीय स्टेट बैंक, नई दिल्ली के प्रबंधन के सदस्य नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचदत्त को प्रकाशित करती है, जो केन्द्रीय सरकार को 31 अगस्त 1988 को प्राप्त हुआ था।

S.O. 2879.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi, as shown in the Annexure in the industrial dispute between the employers in relation to the management of State Bank of India, New Delhi and their workmen, which was received by the Central Government on the 31st August, 1988.

ANNEXURE

BEFORE SHRI G. S. KALRA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
NEW DELHI

I. D. No. 13/84

In the matter of dispute between :

Shri Ranjit Singh, Shri Babban and Nakse Ram through
the General Secretary, State Bank of India, Emp-
loyees Association, Gali No. 19, Ranjit Nagar, New
Delhi-110008.

Versus

The Office Manager, State Bank of India, Local Head
Office, Parliament Street, New Delhi.

APPEARANCES :

Shri K. N. Malhotra—for the workman.

Shri J. K. Aggarwal—for the Management with Shri B. K.
Chaudhary.

AWARD

The Central Government in the Ministry of Labour vide
Order No. L-12012/255/83-D.II(A) dated 6th February, 1984
has referred the following industrial dispute to this Tribunal
for adjudication :

"Whether the action of the management of State Bank
of India in relation to their Local Head Office,
Parliament Street, New Delhi in terminating the ser-
vices of S/Shri Ranjit Singh, Babban and Nakse
Ram, Messenger with effect from 18-11-82, 21-8-82
and 6-1-83 respectively and not considering them
for further employment while engaging fresh hands
is justified ? If not, to what relief are the workmen
concerned entitled ?"

2. Out of the three workmen who had raised this dispute
two workmen namely Babban Yadav and Ranjit Singh, gave
in writing that they had since been absorbed by the respon-
dent State Bank of India in the permanent cadre as members
of subordinate staff and they did not want to pursue the
case. Hence no dispute award is given in respect of these
two workmen. The present reference, therefore, concerns
Shri Nakshe Ram workman only.

3. The case of the workman Shri Nakshe Ram is that he
alongwith two other workmen were working as Messengers
in the Local Head Office of the State Bank of India Parlia-
ment Street, New Delhi as Messengers on daily rate of wage
of Rs. 10 per day. All of them were doing the work of peon
but they were paid hopelessly low wages in violation of the
bank awards/settlements. Shri Nakshe Ram workman started
working w.e.f. 17-6-82 and his services were terminated on
6-1-83. It has been alleged that the Management became
biased towards the workmen as they had verbally requested
several times to confirm them in the bank service and to pay
them wages equal to other members of subordinate staff
and also on account of their trade union activities and also
with the intention to adjust their own persons in place of
these workmen. No notice was served on the workman nor
any wages in lieu of notice nor any retrenchment compensa-
tion was paid. Hence there was violation of the provisions
of section 25-F of the I. D. Act. The Management employ-
ed fresh hands against the same posts and consequently there
was violation of the provisions of section 25-H of the I. D.
Act. Hence the workmen prayed for reinstatement with
continuity of service and with full back wages.

4. The Management submitted that these workmen were
employed only as casual labour on different occasions accord-
ing to exigencies of work for small periods and it was denied
that they were appointed as messengers. Shri Nakshe Ram
workman had never worked for 240 days or more in any
calander year and he had worked only for 101 days in all
in different spells. He had not completed one years con-
tinuous service as defined under section 25-B of the I. D.
Act and hence he was not entitled to the protection of section
25 of the I. D. Act. Management was also not required to
2304/GI/88-9

serve any notice on the workman or to pay him any wages
in lieu of notice or any retrenchment compensation. The
workman was also not entitled to the benefit of section 25-H.
The persons named in the statement of claim were employed
to the subordinate cadre of the bank who were possessed of
requisite qualifications/experience and were sponsored by
the Employment Exchange through whom only subordinate
staff is employed.

5. First of all, it may be examined as to how many days
of work the claimant Nakshe Ram had put in the service
of the bank. According to the workman, as is evident from
the document Ex. W-3 and the demand notice is Ex. W-10
and W-11, the workman had put in 141 days during the
period from 17-6-82 to 6-1-83. The Management has con-
tended that the workman had put in 101 days of service in
all. However, the Management has not produced any docu-
mentary evidence to prove that the workman had put in
101 and not 141 days as claimed by him right from the
beginning. The workman has placed on record another docu-
ment Ex. W-2 which shows that the bonus was paid to him
for 138 days. MW Shri Madhav Mole who appeared on
behalf of the Management could not admit or deny the cor-
rectness of this document nor could he deny that the work-
man had been paid Bonus for 138 days. This document
which is of the Bank itself, repeats the contention of the bank
that the workman had put in only 101 days. In the absence
of any cogent evidence from the bank to the contrary, the
contention of the workman that he had put in 141 days is
accepted as correct. However, even the work period of 141
days does not constitute continuous service for one year as
defined in section 25-B of the I.D. Act and therefore, the
workman has not sailed into the protection of the provisions
of section 25-F of the I.D. Act. Consequently the Manage-
ment was under no obligation to serve one months notice or
to pay wages in lieu of notice or to pay any retrenchment
compensation under section 25-F of the I.D. Act and, there-
fore, there has been no violation of Section 25 of the I.D.
Act.

6. As regards the violation of the provisions of Section 25-F
of the I.D. Act is concerned, we may advert to the statement
of the workman as WW1. He has stated that the recruitment
to the post of Messenger is made after an interview by the
Selection Board consisting of officers and that he alongwith
Babban and Ranjit Singh had been called for interview by
the said Selection Board in 1984 for the post of Messenger
and that while Ranjit Singh and Babban were selected he
was not selected. The workman has placed on record the
letter dated 11-9-85 Ex. W-6 according to which the work-
man was intimated that as a result of the interview held on
27-6-84 he was found unsuitable for permanent employment
in the bank as Messenger. It has been now alleged by the
workman that he was not selected because he did not give
a false affidavit as required by the Bank that they had not
previously worked in the bank while the other two workers
had given such an affidavit and for this reason they were
selected and appointed. This statement of the workman can-
not be believed as no such averment has been made by him
either in the statement of claim or in his affidavit nor any
such suggestion has been made to the Management witness
in his cross-examination. This contention of the workman
is also beyond his pleadings. Hence this voluntary statement
of the workman in his statement in court is rejected as an
after thought. It has been stated by the Management that
the other persons named by him in the statement of claim
and also in the documents submitted by the workman had
been selected on the basis of the same interview in which
the workman Nakshe Ram had appeared and had not been
found suitable. In this regard the workman in his statement
as WW1 has stated that he cannot deny the suggestion that
about 100 persons had been called for interview in 1984
when he alongwith Babban were also called. He also could
not tell the number of persons who were actually required
on the basis of interview in 1984. He also could not deny
that 10 percent were selected and about 70 were rejected by
the selection board. Under these circumstances, there has
been a substantial compliance by the Management with the
provisions of section 25-H of the I. D. Act. The Manage-
ment was under obligation only to make an offer to the

workman which it has done. The workman cannot make a grievance of his non-selection on the ground of unsuitability while his co-workmen Babban and Ranjit who also raised this dispute were selected by the Selection Board.

7. In view of the discussion made above, the workman is not entitled to any relief and this reference is disposed of accordingly.

Further it is ordered that the requisite number of copies of this award may be forwarded to the Central Government for necessary action at their end.

18th August, 1988.

G. S. KALRA, Presiding Officer
(No. L-12012/255/83-D.II(A)/D.III(A))
P. V. SREEDHARAN, Desk Officer

आ. अ. 2880 - औद्योगिक विवाद अधिनियम 1947 (1947 का 14) को धारा 17 के अनुसरण में, केन्द्रीय सरकार द्वारा विभाग के प्रबन्धन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के कचहरे को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-8-88 को प्राप्त हुआ था।

New Delhi, the 9th September, 1988

S.O. 2880.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Department of Post and their workmen, which was received by the Central Government on the 31st August, 1988.

ANNEXURE

BEFORE SHRI G. S. KALRA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
NEW DELHI

I.D. No. 31/88

In the matter of dispute between :

Shri Dev Raj C/o Shri R. S. Bakra, General Secretary,
INTUC Sonerat Distt. INTUC Bhawan, MT
Sonapat.

Versus

The Senior Superintendent of Post Offices, New Delhi
South West Division, Chanakya Puri, New Delhi.

APPEARANCES :

None—for workman.

Shri Bihari Lal—for the Management with Shri Sanjeev
Sharma.

AWARD

The Central Government in the Ministry of Labour vide its order No. L-40012/15/87-D.II(B) dated 3-3-88 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the notice of the management of Post Master General, New Delhi in terminating Shri Dev Raj from Service w.e.f. 17-12-1986 is legal/justified? If not to what relief the workman concerned is entitled to?"

2. Initially Shri Jog Singh Advocate had put in appearance for the workman. However, w.e.f. 1st August, 1988 neither the workman appeared nor anything put in appearance on his behalf. The workman also did not file any statement of claim in spite of the direction given in the Order of reference itself as well as the directions given by this Tribunal. On 8-8-88 the workman again did not put in appearance. Shri Behari Lal appeared on behalf of the

Management made a statement that the workman is already serving in the P&T Department on daily wage basis. It appears that the workman having secured employment in the same department, is not interested in pursuing this dispute. Hence this reference is disposed of for non-prosecution.

Further it is ordered that the requisite number of copies of this Award may be forwarded to the Central Govt. for necessary action at their end.

8th August, 1988.

G. S. KALRA, Presiding Officer

(No. L-40012/15/87-D.II(B))

आ. अ. 2881 - औद्योगिक विवाद अधिनियम 1947 (1947 का 14) को धारा 17 के अनुसरण में, केन्द्रीय सरकार द्वारा विभाग के प्रबन्धन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के कचहरे को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-9-88 को प्राप्त हुआ था।

S.O. 2881.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of DRM Northern Railway Lucknow and their workmen which was received by the Central Government on the 1st of September, 1988.

ANNEXURE

BEFORE SHRI ARJAN DEV, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT, KANPUR

Industrial Dispute No. 60 of 1988

Reference No. L-41011/35/86-D.II(B) dt. 10-5-88.

In the matter of dispute between :

The Zonal Working President,
Uttar Railway Karamchhari Union,
96/196, Roshan Bajaj Lane,
Ganeshgang, Lucknow.

AND

The Divisional Railway Manager,
Northern Railway,
Hazaratganj, Lucknow.

AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-41011/35/86-D.II(B) dt. 10-5-88, has referred the following dispute for adjudication to this Tribunal:

"Whether the Divisional Railway Manager, Northern Railway, Lucknow was justified in terminating the services of Shri Vinod Kumar and 7 other (as listed below) with effect from 16-11-84? If not, to what relief the workmen concerned are entitled?"

(1) Sh. Ramesh Kumar (2) Sh. Ram Sagar (3) Sh. Sujivan Lal (4) Sh. Santosh Kumar (5) Sh. Ram Roop Verma (6) Sh. Om Prakash (7) Sh. Anup Kumar Singh.

In this case first notice was issued to the workman for filing statement of claim in pursuance of order dt. 13-5-88 fixing 15-6-88 but on 15-6-88 an application was received from the side of workman seeking short adjournment for filing statement of claim which was allowed and 28-6-88 was fixed on the date fixed i.e. 28-6-88 again on the oral prayer

of Shri B. D Tewari time was allowed till 30-6-88. On 30-6-88 he moved an application for adjournment which was allowed and 27-7-88 was fixed in the case.

4. On 27-7-88 neither the workman nor his Auth Rep. put in their appearance. As such looking into the circumstances of the case it appear that neither the workman nor the union which has espoused the cause of the workman is interested in fighting out the case.

5. Therefore, a no claim award is given in the case.

Dt. 22-7-88.

ARJUN DEV, Presiding Officer
(No. L-41011/35/86-D.II(B))

का.प्र. 2882. - औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण से, केन्द्रीय सरकार डाक विभाग के प्रबन्धन से सम्बन्धित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचवट को प्रकाशित करता है, जो केन्द्रीय सरकार को 31-8-86 प्राप्त हुआ था।

S.O. 2882.—In pursuance of section 17 of the Industrial disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Department of post and their workmen, which was received by the Central Government on the 31st August, 1988.

ANNEXURE

BEFORE SHRI G. S. KALRA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
NEW DELHI

I. D. No. 25/88

In the matter of dispute between :

Shri Raj Singh C/o R. S. Rakri, General Secretary,
I.N.T.U.C. Sonapat Distt.

INTUC Bhawan M.T. Sonapat.

Versus

The Senior Superintendent of Post Office,
New Delhi South West Division,
Chanakya Puri, New Delhi.

APPEARANCES :

None—for the workman.

Shri H. S. Negi—for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/21/87-D.II (B) dated 3-3-1988 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of Post Master General New Delhi in terminating Shri Raj Singh from service with effect from 17-12-1986 is legal/justified? If not, to what relief the workman concerned is entitled to?"

2. Initially Shri Jog Singh Advocate had put in appearance for the workman. However, w.e.f. 1st August, 1988 neither the workman appeared nor anybody put in appearance on his behalf. The workman also did not file any statement of claim inspite of the direction given in the order of reference itself as well as the directions given by this Tribunal. On 8-8-88 the workman again did not put in appearance. Shri H. S. Negi appearing on behalf of Management made a statement that the workman is already serving in the P&T.

Department on daily wages basis. It appears that the workman having secured employment in the same department is not interested in pursuing this dispute. Hence this reference is disposed of for non-prosecution.

Further, it is ordered that the requisite number of copies of this award may be forwarded to the Central Government for necessary action at their end.

Dated : 8th August, 1988.

G. S. KALRA, Presiding Officer
(No. L-40012/21/87-D.II(B))

का.प्र. 2883. - औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण से, केन्द्रीय सरकार डाक विभाग के प्रबन्धन से सम्बन्धित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचवट को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-8-88 प्राप्त हुआ था।

S.O. 2883.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Department of Post and their workmen, which was received by the Central Government on the 31st August, 1988.

ANNEXURE

BEFORE SHRI G. S. KALRA, PRESIDING OFFICER ;
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL ;
NEW DELHI

I. D. No. 29/88

In the matter of dispute between :

Shri Roop Chand C/o Shri R. S. Rakra.

General Secretary, I. N. T. U. C., Sonapat Distt.
I. N. T. U. C. Bhawan M. T. Sonapat.

Versus

The Sr. Superintendent of Post Offices,
New Delhi South West Division, Chanakya Puri,
New Delhi.

APPEARANCES :

None for the workman.

Shri Sanjeev Sharma with Shri H. S. Negi for the Management.

AWARD

The Central Government in the Ministry of Labour vide its notification No. L-40012/14/87-D.II(B) dated 3-3-87 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of Post Master General, New Delhi in terminating Shri Roop Chand from service with effect from 7-12-1986 is legal/justified? If not, to what relief the workman concerned entitled?"

2. Initially Shri Jog Singh Advocate had put in appearance for the workman. However w.e.f. 1st August, 1988 neither the workman appeared nor anybody put in appearance on his behalf. The workman also did not file any statement of claim inspite of the direction given in the order of reference itself as well as the directions given by this Tribunal. Today again the workman has not appeared. Hence this reference is disposed of accordingly for non-prosecution.

Further it is ordered that the requisite number of copies of this Award may be forwarded to the Central Government for necessary action at their end.

8th August, 1988

G. S. KALRA, Presiding Officer
(No. L-40012/4/87-D.II(B))

का.प्र. 2884.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण से, केन्द्रीय सरकार डाक विभाग के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-8-88 प्राप्त हुआ था।

का.प्र. 2885.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण से, केन्द्रीय सरकार वेस्टर्न रेलवे, बम्बई के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, अहमदाबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-8-88 प्राप्त हुआ था।

S.O. 2894.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Department of Post and their workman, which was received by the Central Government on the 31st August, 1988.

ANNEXURE

BEFORE SHRI G. S. KALRA, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL,
NEW DELHI.

I.D. No. 31/88

In the matter of dispute between,
Shri Pitam Singh c/o R. S. Kakra, General Secretary,
I.N.T.U.C., Sonapat Distt., I.N.T.U.C Bhawan,
M.T. Sonapat.

Versus

Sr. Superintendent of Post Offices,
New Delhi South West Division,
Chanakya Puri, New Delhi.

APPEARANCES :

Shri Sanjeev Sharma with Shri Bihari Lal.

None for the workman.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/20/87-D.II(B) dated 3-3-1988 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the action of the management of Post Master General, New Delhi in terminating Shri Pitam Singh, from service with effect from 17-12-1986 is legal|justified. If not, to what relief the workman concerned entitled to?”

2. Initially Shri Jog Singh Advocate had put in appearance for the workman. However, w.e.f. 1st August, 1988 neither workman appeared nor anybody put in appearance on his behalf. The workman also did not file any statement of claim inspite of the direction given in the order of reference itself as well as the direction given by this Tribunal. On 8-8-88 the workmen again did not put in appearance. Shri H. S. Negi appearing on behalf of the management made a statement that the workman is already serving in the P. & T. Department on daily wages basis. It appears that the workman having secured employment in the same department, is not interested in pursuing this present dispute. Hence this reference is disposed of for non-prosecution.

Further it is ordered that the requisite number of copies of this Award may be forwarded to the Central Government for necessary action at their end.

G. S. KALRA, Presiding Officer

8th August, 1988.

[No. L-40012/20/87-D.II(B)]

S.O. 2885.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Ahmedabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Western Railway, Bombay and their workman, which was received by the Central Government on the 26th August, 1988.

ANNEXURE

BEFORE SHRI G. S. BAROT, B. COM. LL.B.,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL AT AHMEDABAD

Reference (ITC) No. 12 of 1984

ADJUDICATION

BETWEEN

Management of Western Railway Bombay First party
AND

Their Workmen

Second party

In the matter of employees' demand for the scale of Rs. 260—400 in respect of S/Shri Bhikhubhai B, Poonabhai David K. Jamu B. Chanabhai N., Chiba C, Dahya C and Mangroo K, Shed Cleaner Muccadams, etc.

APPEARANCES :

Shri H. B. Shah, Advocate—for the First party and

Shri S. J. Shah, Advocate along with Shri L. R. Burhadd, Secretary PRKP Udhna—for the Second party.

AWARD

This is a reference made by the Government of India, Ministry of Labour, contributing me as Presiding Officer of the Industrial Tribunal with headquarters at Ahmedabad, in exercise of the powers conferred by Section 7-A and Clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947. The Reference is made by the Central Government Order No. L-41011(49)/83-D.II(B) dated 15-2-1984. The dispute which is referred to this Tribunal for adjudication is stated in the Schedule to the order of reference and it reads as under :

“Whether the action of the Divisional Railway Manager, Western Railway, Bombay Central in ignoring the claim of S/Shri Bhikhubhai B, Poonabhai David K, Jamu R, Chanabhai N, Chiba C, Dahya C and Mangroo K. Shed Cleaner Muccadam under WFO Udhna for upgraded posts in the scale of Rs. 260—400 by passing their seniority is justified ? If not, to what relief are the concerned workmen entitled ?”

2. Usual notices were sent to parties to file their respective claims. The Secretary, PRKP Udhna has filed the statement of claim at Ex. 2. The First Party Western Railway, Bombay has filed its written statement at Ex. 11. Shri H. B. Shah, learned advocate has appeared for the First Party Shri S. J. Shah, learned advocate along with Shri L. R. Burhade, Secretary PRKP Udhna has appeared for the Second Party. As per the request of the union the hearing of this case was kept at Surat also. However, the union passed pursish Ex. 16 that though he had contacted the interested workmen David K, he has not turned up and the case may be adjourned, and accordingly it was adjourned. Again by pursish Ex. 10 Shri Burhade, Secretary of the union has informed the Tribunal that the concerned 8 workmen are not interested to pursue their case and the Tribunal may issue notices to them separately. Accordingly, individual notices

were sent to them by Registered Post. In response thereto only Shri David Kishan by pursish Ex. 27 demanded some documents and the same were furnished to the Tribunal as also to the union by the First Party vide Ex. 22. On behalf of the Second Party by Ex. 30 further documents were demanded which were objected to by the learned advocate for the First Party and so the matter was fixed for hearing. Finally by Ex. 32 the union through Shri Burhade has informed the Tribunal that Shri David K. Mukadam is not interested in his case and he has prayed that his case may be dropped. Thus, it appears that none of the 8 persons including Shri David K. is interested in prosecuting the case further. There is, therefore, no alternative left for this Tribunal but to dismiss the demand and the reference. The result, therefore, in that the demand is rejected and the reference stands dismissed for want of prosecution. No order as to costs.

Secretary,
Ahmedabad.

Dated : 21st July, 1988.

G. S. BAROT, Presiding Officer
[No. L-41011/49/83-D.II (B)]

का.प्रा. 2886.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार अन्तराल मैनेजर, वेस्टर्न रेलवे, बम्बई के प्रबन्धतंत्र से सम्बद्ध निवीजकों और उनके कर्म-कारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में औद्योगिक प्रसि-करण, ब्रह्मसागर के पंचपट की प्रकाशित करती है, जो केन्द्रीय सरकार की 26-8-88 प्राप्त हुआ था।

S. O. 2886.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Ahmedabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of General Manager, Western Railway, Bombay and their workmen, which was received by the Central Government on the 26th August, 1988.

ANNEXURE

BEFORE SHRI N. A. CHAUHAN, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRI-
BUNAL AT AHMEDABAD

Reference (ICT)-No. 9 of 1988.

ADJUDICATION

BETWEEN :

The General Manager
Western Railway
Bombay & others

—First Party

AND

The Paschim Railway Karamchhari
Parishad Materuchaya
Junction Plot Rajkot

—Second party.

In the matter whether the Railway Administration is justified in not screening the casual labourers posted at Kalol under IOW, PWI in 1983, If not, to what relief the casual labourers posted at Kalol are entitled to ?

STATE : Gujarat
INDUSTRY : Railway, Rajkot.

AWARD

This reference u/s. 10 (1) (d) read with sub-section (2A) of the I. D. Act, 1947 between General Manager, Western Railway & Others and their workmen is referred by the Government of India, Ministry of Labour, New Delhi through its Desk Officer under order No. L-41011/39/86-D. II (B), dated 9-6-1988 to this Tribunal to resolve the following industrial dispute :—

"Whether the Railway Administration is justified in not screening the casual labourers posted at Kalol under IOW, PWI in 1983 ? If not, to what relief the casual labourers posted at Kalol are entitled to ?"

2. After the receipt of the parties were informed to reference the main present before this Court on 11-7-1988, but none appeared. Thereafter on 3-8-1988, Shri S. B. Nigam, Paschim Railway Karamchhari Parishad appeared on behalf of the workmen and some officer from the Western Railway. Shri Nigam, vide Purshis at Ex. 6 stated that they should be permitted to withdraw the reference as the term of the reference is not for their demand and no useful purpose would be served by prosecuting this reference and even if the demand referred is granted, no useful benefit would accrue to the workmen.

3. The withdrawal Purshis is filed by the Union at whose instance this reference was initiated. In the result there is no reason not to permit them to withdraw this reference. In the result, I pass the following order :

ORDER

The Union, at whose instance this reference was made, is not interested to prosecute the demand referred to and hence this reference stands disposed of accordingly as withdrawn with no order as to costs.

Sd./-

N. A. CHAUHAN, Presiding Officer.
[No. L-41011/39/86-D. H (B)]

Sd./R, A. Thakar, Secy.

Ahmedabad, Dated : August, 1988-

का.प्रा. 2887.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कानपुर के प्रबन्धतंत्र से सम्बद्ध निवीजकों और उनके कर्मकारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक प्रसिकरण कानपुर के पंचपट की प्रकाशित करती है, जो केन्द्रीय सरकार की 1-9-88 की प्राप्त हुआ था।

S.O. 2887.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Cantonment Board Kanpur and their workmen, which was received by the Central Government on the 1st September, 1988.

ANNEXURE

BEFORE SHRI ARJAN DEV PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM LABOUR COURT, KANPUR.

Industrial Dispute No. 66 of 1986.

In the matter of dispute between :

Secretary

U. P. Cantonment Board Teachers' Karamchhari Union
562/38U Rail Bazar Cantonment.

Kanpur U. P.

AND

Executive Officer
Cantonment oBard
Kanpur U.P.

AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-13012/5/585-D.II(B), dated 16th March, 1986, has referred the following dispute for adjudication to this Tribunal :

Whether the action of the Executive Officer Cantonment Board, Kanpur, in not revising the pay scales of Cantonment Board teachers at par with the pay scales of teachers of the State Government is justified? If not, to what relief the workmen are entitled?

2. The dispute in this case on behalf of teachers employed by the Cantonment Board, Kanpur, (hereinafter referred to as Board), has been raised by U.P. Cantonment Board Teachers' Karamchhari Union (hereinafter referred to as Union).

3. The case set up by the union in brief is that the Board is an industry within the meaning of Sec. 2(j) I.D. Act, and the teachers employed by the Board are workmen within the meaning of sec. 2(s) I.D. Act. The Union alleges that National Industrial Tribunal of India, Bombay, (hereinafter referred to as NIT Bombay) in its award published on 4-3-60 has observed that the teaching staff of Cantonment Board would be entitled to pay and allowances at the same rates as are applicable from time to time to the corresponding categories of employees of similar status serving under the Government of State in which the Cantonment Board is situated provided they hold the requisite qualifications laid down by the Government. Despite the fact that the U. P. Government revised the pay scales of their teachers in 1965, 1973 and 1979 in the manner shown in the Annexure I to the claim petition, the Board has not revised the pay scales of the teachers in the light of the directions given by NIT Bombay, in its award. The action of the Board in not giving these pay scales to the teachers at par with the pay scales of teachers of the U.P. Government is therefore, illegal and unjustified. Accordingly the Board be directed to revise the pay scales of their teachers in terms of the Award of N.I.T. Bombay and further directed to pay arrears of wages less paid by the Board to their workmen with interest at the rate of 18 per cent per annum along with of other consequential benefits.

4. In defence it is pleaded by the Board that the Board is neither an industry nor the teachers employed by it are workmen under the provisions of Industrial Disputes Act, consequently, the reference made by the Central Government, Ministry of Labour, is incompetent and the Tribunal has no jurisdiction to decide it. The Board does not dispute the observations made by the NIT Bombay, to which reference has been made by the Union in their claim statement. The Board further pleads that the U.P. Government had never any Primary Schools. Primary Schools in U.P. are in fact run by Basic Shiksha Parishad from July 1972. Accordingly the Board is paying wages to its teachers of Primary School at par with the wages of teachers of Primary Schools under Basic Sakisha Parishad.

5. In its rejoinder, the Union alleges that the dispute referred for adjudication is a valid Industrial Dispute and the Court had the jurisdiction to try it. The Union further alleges that Schools run by Nagar Palika and Nagar Mahapalika are not state owned Schools. They are run by Basic Shiksha Parishad which is a Local Self Organisation. The U. P. Government runs its own schools having different Scales of pay to which teachers by the Board are entitled in terms of NIT Bombay Award.

6. In support its case, the Union has filed the affidavit of Shri Ramesh Prasad and in support of its case the Board has filed the affidavit of Shri B. L. Yadav. Whereas Shri Ramesh Prasad is the Asstt. Secy. of Union, Shri B. L. Yadav, is posted as Office Supdt., in the Board's Office. Both the sides have also placed reliance on a number of documents filed by them.

7. From the facts stated in Paras 8 & 9 of the affidavit of the Union witness and facts stated by him in his cross examination it is abundantly clear that in the present dispute we are simply concerned with teachers' employed by the Board in its Primary Schools. So the first question to be determined is whether the Primary Schools run by the Board are Industry within the meaning of sec. 2(j) I.D. Act, and teachers employed in these Schools by the Board are workmen within the meaning of sec. 2(s) I.D. Act.

8. From the N.I.T. Award, Bombay, published on 4-3-60, it is clear that while giving its Award NIT Bombay treated Primary School run by Cantonment Board as Industry and teachers employed in these schools as workmen.

9. The position with regard to it, however, completely changed with the Judgment given by a Bench of a Hon'ble Judges' of the Supreme Court in University of Delhi and others Vs. Ram Nath & others reported in 1963 11 L.J. 335 AIR 1963 SC 1873. It was held that Education is not an 'Industry' nor the teachers are workmen.

10. What was held by Their Lordships of the S.C. was modified by a larger Bench of the Supreme Court in its subsequent ruling in the case of Bangalore Water Supply and Sewerage Board Vs. A. Rajappa 1978 Lab. IC 467—AIR 1978 SC 548. In the said ruling it was that Education is an 'Industry' but the question whether teachers are workmen within the meaning of sec. 2(s) I.D. Act, was left open as will be evident from the following lines of para 112 at page 499/500 of this ruling (1978 Lab. IC 467) :—

We are not too sure whether it is proper to disregard, with contempt, manual work and separate it from education, nor are we too sure whether to our technological universe, education has to be excluded. However, that may be a battle to be waged on a later occasion by litigation and we do not propose of pronouncement on it at present. The court, in the University of Delhi, proceeded on that Assumption, viz that teachers are not workmen.

The view that teachers are not workmen was also taken by Hon'ble Judges in the under mentioned rulings :—

1. M. S. Venkataraman Vs. Labour Court 1983 Lab IC. 177.
2. Karthiyani & others Vs. Union of India & Others 1983 Lab IC 1852 Kerala.
3. Uma Chopra 'Km' Vs. R. N. Jindal and another 1988 1 L.J. 589 Delhi.

11. II & III rulings are Division Bench Rulings. The ruling in the first case was given by Hon'ble Mr. Justice Khalid and the view taken by His Lordship was confirmed by Division Bench in the second ruling referred to above in appeal.

12. The petitioner in the IIIrd case was a teacher of Deaf and Dumb School. Their Lordships of the Delhi High Court observed as follows in paras 8 & 12 of their judgment.

Having reached the conclusion that the question as to a teacher being a workman or not is at large and is not concluded by the judgment of the Supreme Court in University of Delhi case (AIR 1963 SC 1873) (vide supra) now, let me consider the second contention whether the petitioner is workman or not.

(Para 8)

Manual work comprises of work involving physical exertion as distinct from mental or intellectual exertion. The teachers necessarily perform intellectual duties and their work is mental or intellectual is distinct from "Manual". I am not suggesting for a moment that manual work is in any way inferior to mental or intellectual work. The method of teaching, in my opinion, ordinarily cannot determine the question whether work is manual or intellectual. Teacher is a teacher all the same. The nature of duties of a teacher teaching normal students and a teacher teaching deaf and dumb students is essentially the same. Both impart education to the students. The only difference is in the manner of imparting education. In one way, even teachers teaching normal students do some kind of manual work when for instance they write on the black board, take attendance or take part in other extra curricular activities. But it cannot be said in their case that because of these works nature of their duties is manual and they are workmen. Likewise, in the case of petitioner, the main work is intellectual as distinct from manual and she is not a 'workman' She also imparts education to students as any other teacher. There is no physical exertion in the method of teaching by signs and lip, reading etc. The predominant nature of the petitioner's work involves mental or intellectual exertion and

not manual exertion. Justice Shri Khalid, in another judgment reported in Venkataraman V Labour Court & others 1982 1 LLN 340, after considering the nature and duties of the teacher, came to the conclusion that the nature of the work that a teacher does is imparting of education which does not partake the nature of the work mentioned in Sec. 2(s) of the I.D. Act.

(Para 12)

13. On the basis of discussion Their Lordships in para 13 of the judgment held that the petitioner could not be termed as workman within the meaning of section 2(s) of Industrial Disputes Act.

14. Thus from the above ruling it is clear that although Education is an 'Industry' but teachers of educational institutions including Primary Teachers Secondary Collegiate are not workmen within the meaning of section 2(s) I.D. Act.

15. From the side of the union their authorised representative has referred to a few ruling to show that teachers are workmen and that until N.I.T. Bombay award is revoked the Board is bound by it.

15. The first ruling referred to by him is P. R. Kokil Vs. General Manager, South Central Railway Secunderabad 1972 Lab IC 1071 Bombay. It was held by a Division Bench of the Hon'ble High Court, that a teacher in Railway School is a workman within the meaning of sec. 2(s) I.D. Act. This ruling is distinguishable on facts. In para 2 of their judgment, Their Lordships referred to the definition of Railway School & Railway Servant as given in Railway Books. Railway School has been defined as School established by a Railway directly under the Railway Board primarily for the benefit of the children of its employees and entirely controlled by it with or without the assistance from the revenue of State of Income other than non railway source and railway servant has been defined as a person who is a member of a service or who holds a post under the administrative Control of the Railway Board, etc. On these facts it was observed in para 4 at page 1074 that the Railway Board itself felt that at some places education facilities are not available and in order to induce its employee to work at such odd places where facilities of education of children is not available the essential accunity of education to the children of railway employees had to be provided for. The work in such school thus form an act which is incidental to the main industrial operation. Hence according to their Lordship the Railway Board was not right in its conclusion that

teachers working in Railway Schools and Railway Training Schoools are not covered by the provisions of I.D. Act. Thus from the ruling it is very clear that this view was taken on the basis of the definition of the Railway School and railway servant referred to above and on the basis of these railway schools essentially being for providing education to the children of railway employees. The same thing is not proved about the primary schools run by the Cantonmen within the meaning of sec. 2(s) I.D. Act. tinguishable on facts.

16. The second ruling is of the Hon'ble S.C. reported in 1978 Lab IC 167 (supra). This ruling has already been referred to by me and I have shown that in this ruling 7 Hon'ble Judges of S.C. took the view that education is an 'Industry' within the meaning of section 2(j) I.D. Act. The question whether teachers are workmen are not was left open.

17. The third ruling referred to is Burn & Company Limited Vs. Their Employees 1957-ILLJ 226/SC. It was a case where by means of an earlier award scales for certain categories of workmen in an industry were fixed. Union terminated the award u/s 19(6) I.D. Act and raised a fresh demand for revision of wage scale. It was held that since no change in the circumstances had been alleged or proved wages scales fixed under the prior award would not be altered. This ruling in view of the ruling AIR 1963 SC 1873, and 1978 Lab IC 467, I think has no application. In the ruling referred to by the authorised representative for the union it appears that even subsequently there was no dispute between the parties on the point that employees are workmen within the meaning of sec. 2(s) I.D. Act.

18. The net result of the above discussion is that although the education is an industry within the meaning of sec. 2(j) teachers employed by Board in its Primary Schools are not workmen within the meaning of sec. 2(s) I.D. Act. As such under the provisions of I.D. Act, they are not entitled to any relief.

19. Reference is answered accordingly.

ARJAN DEV, Presiding Officer
[No. L-13012/5/85-D.II(B)]
HARI SINGH, Desk Officer

